

Tuesday, 29th April 1958

LOK SABHA DEBATES

Second Series

Volume XVI, 1958

(23rd April to 5th May, 1958)



FOURTH SESSION, 1958

(Vol. XVI Contains Nos. 51 to 60)

**LOK SABHA SECRETARIAT
NEW DELHI**

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LOK SABHA

Tuesday, the 29th April, 1958.

The Lok Sabha met at Eleven of the Clock.

[Mr. SPEAKER in the Chair]

ORAL ANSWERS TO QUESTIONS

सिक्किम को सहायता

*१८१६. श्री मन्त दशैन :

क्या प्रधान मंत्री २८ अगस्त, १९५७

के तारांकित प्रश्न संख्या १२७६ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि सिक्किम की विकास योजना की कार्यान्विति के लिये सिक्किम की सरकार को जो सहायता दी जा रही है उस के बारे में अब तक क्या प्रगति हुई है ?

वैदेशिक-कार्य मंत्री के सभा-सचिव (श्री सादत अली खां) : पिछली बार अगस्त १९५७ में जब प्रश्न का उत्तर दिया गया था, तब से २२ लाख रुपये सहायता के रूप में और ५ लाख रुपये कर्ज के रूप में सिक्किम को और दिये जा चुके हैं। इस तरह कुल मिला कर अब तक १२३.२५ लाख रुपये अनुदान के रूप में और १६ लाख रुपये कर्ज के रूप में दिए जा चुके हैं। विभिन्न स्कीमों की प्रगति योजना के अनुसार हो रही है।

भारत सरकार ने यह भी फैसला किया है कि सिक्किम योजना के लिए २०१ लाख रुपये की जो रकम पहले निर्धारित की गई थी उसमें पर्याप्त वृद्धि की जाय।

Shall I read in English also?

Mr. Speaker: Yes.

Shri Sadath Ali Khan: A further sum of Rs. 22 lakhs as aid and Rs. 5 lakhs as loan have been paid to Sikkim since August, 1957 when the question was last answered. This raises the total funds released so far to Rs. 123.25 lakhs as grants and Rs. 16 lakhs as loan. The various schemes are progressing according to plan.

The Government of India have decided to make a substantial increase in the original total allocation of Rs. 201 lakhs for the Sikkim Plan.

श्री मन्त दशैन : जैसा कि अभी सचिव महोदय ने अपने उत्तर में बताया है कि सिक्किम को दी जाने वाली धनराशि में वृद्धि करने पर विचार किया जा रहा है। मैं जानना चाहता हूँ कि इस के बारे में कौन कौन सी तजवीजें पेश हैं और कितना पैसे तक बढ़ाने की उम्मीद की जाती है ?

श्री सादत अली खां : इसका जवाब मैं क्लिफाल नहीं दे सकता।

श्री इस्कन दशैन : पिछली बार इसी प्रश्न का जवाब देते हुए गवर्नमेंट की ओर से बताया गया था कि सिक्किम में जो भारतीय अफसर जाने थे वे पूरी तादाद में नहीं भेजे जा सके। मैं जानना चाहता हूँ कि उत्तर प्रदेश के पर्वतीय इलाकों या दूसरे पर्वतीय इलाकों के अफसरों को वहाँ क्यों नहीं भेजा जाता कि पर्वतीय इलाकों का अनुभव रखते हैं और वहाँ के काम को बेजुबानी में समझ सकते हैं ?

श्री सादथ अली खां : मैं इस मसले पर विचार करके जवाब दूँगा। मुझे पता नहीं है कि उत्तर प्रदेश के अफसर वहाँ क्यों नहीं भेजे जाते हैं। लेकिन ज़ाहिर है, इसकी कोई न कोई वजह होगी।

Shri Damani: May I know how many doctors, engineers or other technicians of Sikkim are undergoing training at various projects in India?

Shri Sadath Ali Khan: I have not got the exact figures with me. I will require notice for it.

Shri Goray: On what works mainly is this aid being used?

Shri Sadath Ali Khan: It is used for development such as agriculture, rural development, power, industries, roads, bridges, buildings, communications, education, public health etc.

Pakistani Nationals in India

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*1898. { **Shri Hem Barua:**
 Shri Vajpayee:
 Shri Raghunath Singh:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that simultaneous raids in various cities and towns of West Bengal by the Central Enforcement Branch Police have brought to light a large number of Indo-Pakistan passports issued to Pakistani nationals who had been living in West Bengal by falsely declaring themselves as Indian citizens;

(b) if so, the details of the revelation; and

(c) the action taken in respect thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes, Sir.

(b) The exact number of Indo-Pakistan Passports issued to Pakistan nationals is not yet known but 312

are definitely known to have been issued. Further enquiries are in progress.

(c) All the persons, who have been found so far to have been involved in this illegal issue of passports, have been arrested and will be tried. The passports have been cancelled. Necessary precautionary measures are also being taken to check the issue of such passports to unauthorised persons. Applications for passports have now to be attested by authorities presumed to be reliable.

Shri Hem Barua: Those Pakistan nationals who had come to this country since partition and before the introduction of the passport system in 1953 were given a deadline for taking out their Pakistan passports. May I know how many of them have so far done so within the deadline?

Shri Sadath Ali Khan: I require notice.

Shri Hem Barua: Is it a fact that there are more than 2 lakhs of Pakistan nationals in this country who have refused to acknowledge their nationality?

Shri Sadath Ali Khan: I cannot say how many lakhs of Pakistan nationals are over here without passports. It is not possible to give a list of persons.

Shri Hem Barua: Is it a fact that 700 Pakistan nationals were, I would rather say, discovered a few months ago in Calcutta by the police,—people who did not have their necessary documents or passports? If so, what steps have been taken against them either to repatriate them or to put them in prison, as Mr. Noon suggested in the case of our nationals there?

Shri Sadath Ali Khan: According to the report furnished by the District Magistrate of Hooghly, 10 government officials including 4 clerks and 6 police officers have been arrested for alleged illegal issue of Indo-Pakistan passports to Pakistan nationals. Besides them, 2 Mukhtars

and 2 Moharirs and 4 members of the public were also arrested in this connection. All the arrested persons are now on bail.

Mr. Speaker: How many illegal passports have been issued and what has happened to those Pakistan nationals?

Shri Sadath Ali Khan: That matter is under inquiry and it will not be possible to give the figures.

Shri C. D. Pande: Is it within the knowledge of Government that there are several thousand accepted Pakistani citizens who are employed in our vital transport industry, particularly shipping and boat transport?

An Hon. Member: In Calcutta.

Shri Sadath Ali Khan: I submit this is a different question.

Mr. Speaker: The question relates to people without permits. These people must have permits with them.

Shri C. D. Pande: With permits and without permits.

Mr. Speaker: We are going into another matter, whether it is at all desirable to have foreign nationals working in some of our essential industries.

Shri C. D. Pande: Not only have they come, but they are serving in our transport.

Mr. Speaker: This can be split up into two. So far as people without passports are concerned, the question has been asked already.

Shri D. C. Sharma: May I know what necessary precautions have been taken to see to it that the issue of Indo-Pakistan passports is not abused in future?

Shri Sadath Ali Khan: I will inform the House about some precautionary measures which we have taken. (1) attestation by professional attestors is being discouraged; applicants are asked to get their applications attested by the President of the union Board or

the Commissioners of Municipality of the area where they actually reside. (2) verification of the antecedents of the cases of doubtful nationality is invariably done now by the Superintendent of Police, Director of Intelligence Bureau, Hooghly.

Shri Hem Barua rose—

Mr. Speaker: This is a recurring affair. After prosecutions are over, hon. Member can certainly table another question.

Import of Low Grade Jute and Jute Cuttings

*1901. **Shri Rameshwar Tantia:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government is considering to revise the import policy regarding low grade jute and jute cuttings from Pakistan; and

(b) what are the total import figures for these varieties during the last 2 years, separately?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) A statement is laid on the Table of the Lok Sabha. [See Appendix VIII, annexure No. 46].

Shri Rameshwar Tantia: May I know whether there was any inquiry made regarding the position of low quality jute in India? If so, what are the findings thereon?

Shri Kanungo: The date of the enquiry is not finalised yet. The Bihar Government have been asked to suggest the date.

Shri P. G. Sen: In view of the fact that there is public resentment over the import of jute cuttings from Pakistan, will Government examine whether Indian jute could not be substituted?

Shri Kanungo: It has been examined. Certain quantities of cuttings of high grade jute are necessary for blending with our Indian jute for the purpose of high grade hessian.

Burmese Press Delegation

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*1954. { Shri Bhogji Bhai;
Shri Rameshwar Tantis:

Will the Prime Minister be pleased to state:

(a) whether it is a fact that a deputation of Burmese Press has been invited to visit India; and

(b) if so, which Burmese newspapers are represented on the press group visiting India?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) Yes.

(b) The Burmese newspapers represented on the group are:—

(i) "The New Times of Burma", Rangoon.

(ii) "The Hantawaddy", Rangoon.

(iii) "The New Light of Burma", Rangoon.

(iv) "Myanma Lanzin", Mandalay.

श्री भोगजी भाई : क्या मैं जान सकता हूँ कि इस शिष्ट-मंडल पर जो खर्च होगा, वह भारत सरकार देगी या बर्मा सरकार देगी ?

श्री सादत अली खाँ : खर्च का अंदाजा कोई तीस हजार के लग भग हुआ है और डेलीगेशन बूकिंग यहाँ प्राया था, इस लिए जाहिर है कि खर्चा भारत सरकार देगी ।

श्री भक्त बर्मान : यह जो प्रखबारों का शिष्ट-मंडल भारत में प्राया हुआ प्राया है, उस ने भारत के कौन कौन से भागों का दौरा किया है और कहाँ कहाँ जाने का उस का प्रोग्राम है ?

Shri Sadath Ali Khan: The Delegation arrived at Calcutta on the 26th March, 1958. After visiting Rourkela and Bhilai steel plants, it toured the

States of Madras, Kerala, Mysore and Bombay and visited Bhopal, Agra, Delhi, Bhakra-Nangal and Srinagar. The Delegation is due to return to Rangoon on the 30th April, 1958 after visiting Banaras, Gaya, Sindri, Chittaranjan and Calcutta.

Shri Joachim Alva: Government spends quite a lot of money on Press Delegations coming from abroad. I would like to know whether Government or the Chief of Protocol takes any special interest in seeing that these foreign journalists are in touch with all the members of the Journalists Union here or in other important cities and also Members of Parliament who are journalists belonging to all parties in the House.

Shri Sadath Ali Khan: The programme is normally fixed after consulting their side and our side. So, it is chalked out by mutual consent and all the items are included.

Mr. Speaker: The hon. Member suggests that when journalists come here, journalists in Parliament and outside must be consulted or given opportunities to mix with them.

Shri Sadath Ali Khan: The hon. Member's suggestion will be borne in mind.

Shri T. K. Chaudhuri: Is the Government in a position to inform us as to who it was that selected the different papers represented in this Delegation? Is it the Government of Burma or any independent Press body in Burma, because I find that some of the important Burmese papers are not represented?

Shri Sadath Ali Khan: Our Ambassador in Burma in consultation with the Burmese Foreign Office drew up this list of journalists who would visit this country.

Shri T. K. Chaudhuri: Is the Government or our men in Burma in touch with any independent Journalists' Association in Burma and was their opinion sought?

Shri Sadath Ali Khan: I could not answer that question offhand. I will have to make enquiries.

Shri Hem Barua: May I know if the Burmese Press Delegation has so far visited Parliament?

Mr. Speaker: The hon. Member is always here.

Shri Sadath Ali Khan: Not so far as I know.

Mausoleum of Maulana Azad

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 *1905. { **Shri D. C. Sharma:**
 Shri A. M. Tariq:
 Shri Bhakt Darshan:
 Shri Nek Ram Negi:

Will the Prime Minister be pleased to state:

(a) whether any decision has been taken by the Government of India with regard to the construction of a mausoleum in memory of Maulana Azad;

(b) whether any other steps are being taken to perpetuate his memory; and

(c) if so, the nature thereof?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) In view of the location of Maulana Azad's tomb in front of the Jama Masjid, it is not proposed to erect any elaborate structure there. It is intended to have a garden round about the tomb as well as on the other side of the approach road to the Jama Masjid.

For the present, a simple temporary but artistic covering will be put up for the tomb. The further question of any permanent arrangement will be considered later.

(b) and (c). It is understood that the Working Committee of the Congress have issued an appeal for a fund with the object of honouring the memory of Maulana Azad. A copy of this appeal is laid on the

Table of the Lok Sabha. [See Appendix, VIII, annexure No. 47].

The Sahitya Akademi intends to bring out a collection of Maulana Azad's writings. Steps are being taken to collect all his writings from his early days.

Shri D. C. Sharma: May I know how long it will take for the committee to determine the kind of mausoleum which is mentioned in the reply given by the Parliamentary Secretary?

Shri Sadath Ali Khan: The Working Committee has already proposed certain steps which should be taken for this. I think it appeared in the newspapers.

Shri T. K. Chaudhuri: On a point of order, Sir. The hon. Parliamentary Secretary has referred to an appeal of the Congress Working Committee. The question was intended to elicit information as to what steps Government has taken. Since when has the Congress Working Committee become the Government?

Mr. Speaker: The hon. Member can leave the Congress Working Committee alone. The Parliamentary Secretary could easily have said: These are the steps that Government are taking. Other persons who are interested are also taking steps. Whether outsiders take steps or insiders take steps, it is a memorial in memory of the late Maulana Saheb. Therefore, he has given outside information to us but not to give increased importance to the Congress Working Committee, so far as this House is concerned. Any contribution from any other source also is welcome provided it fits into the scheme.

Shri Yajnik: I want to ask if in response to the appeal of the Working Committee an all-parties Maulana Azad Memorial Committee has not been appointed and funds are being subscribed by all the Members of this House for a portrait. So, it is no use saying that it is the Congress Work-

ing Committee or the Congress that is trying to unveil a portrait of Maulana Azad in the Central Hall.

Mr. Speaker: There is no reference to Maulana Azad's portrait here. So far as it is concerned I know that all the parties have joined together and are presenting the portrait to be kept in the Central Hall. I understood this to mean the outside memorial. This has reference to the tomb and so on and not to anything inside the Parliament House.

Shri D. C. Sharma: How many meetings have been held of any committee appointed by the Government of India to implement the decisions which have been taken, the decision to grant scholarships, to establish libraries etc.? Has any implementation been made so far?

Shri Sadath Ali Khan: The appeal was issued only recently. I am not aware if any meetings have taken place so far.

श्री गोबिन्द दास : क्या सरकार का सूचना मंत्रालय, मौलाना साहब ने अब तक जो बहुत कुछ लिखा है, उस के प्राप्त करने, उस के सम्पादन करने और उस के अंग्रेजी, हिन्दी और उर्दू में प्रकाशित करने की कोई व्यवस्था कर रहा है और क्या इस सम्बन्ध में कोई कार्यवाही हो रही है ?

श्री सादत अली खाँ : यह काम साहित्य एकेडेमी के सुपुर्द बिया गया है और वह इस काम को करेगी ।

श्री भक्त बर्मा : दिल्ली में राष्ट्रपिता गांधी जी की समाधि बनाने के सम्बन्ध में दस वर्ष में यह भी तय नहीं हो पाया है कि वह किस तरह का बनेगा । मैं जानना चाहता हूँ कि मौलाना साहब का स्मारक बनाने के लिए क्या कोई खास कमेटी बनाई गई है और उस से यह हिदायत दी गई है कि यह काम जल्दी से जल्दी किया जाय ।

श्री सादत अली खाँ : नेशनल मेमोरियल कमेटी बनाई गई है, जनाबे वाला । पिछले तबूके से कायदा उठाया जायगा और वह जल्दी तैयार होगा ।

Shri Ansar Harvani: Is the Government aware that a number of writings of Maulana Azad are being printed and published without any authority in Pakistan; and if so, what steps have Government taken against those persons?

Mr. Speaker: The hon. Member may give suggestions; I will allow the suggestions. But what steps can be taken to prevent them from publishing the writings?

Production of Chilled Roll in JEMCO

*1906. **Shrimati Renu Chakravarty:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Chilled Roll Production of Jamshedpur Engineering and Machine Manufacturing Company (Jemco) has been kept far below capacity for the last two to three years;

(b) whether Jemco is the only Asian Company excepting Japan producing chilled roll;

(c) what is the amount of foreign exchange used for importing such rolls from abroad; and

(d) whether Government have examined the reasons for the below capacity production of this company?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). A statement is laid on the Table of the Lok Sabha. [See Appendix, VIII, annexure No. 48].

Shrimati Renu Chakravarty: The hon. Minister in the statement has stated that the company had to close down due to lack of specialists in the line. May I know if it is a fact that since the last 23 years this company has been in production and that it

was producing chilled steel rolls to full swing till recently? What was the percentage of rejections to warrant the rolling mill, being closed down?

Shri Manubhai Shah: All that they were producing were steel cast rolls and not chilled rolls. The chilled roll collaboration took place only four years back when the electrical furnaces came on which there is a separate question by the hon. Lady Member which I will reply at the proper time. The collaboration never worked throughout and we also served them with a notice. It has been our endeavour to see that there was proper collaboration. They have failed to do so.

Shrimati Renu Chakravartty: The hon. Minister has stated in his statement that the Government is trying to get foreign technical collaboration. Since when this effort is going on and is there any possibility of getting that collaboration soon?

Shri Manubhai Shah: That is really a very broad question. The Government have already decided to put in the public sector the Central Foundry Forge Project at Ranchi with Czechoslovakian collaboration. I have mentioned this in the statement. It will meet the requirement of the country in regard to cast rolls and chilled rolls.

Shrimati Renu Chakravartty: The hon. Minister has also stated that there is labour trouble and that the Government of Bihar is taking suitable steps to resolve that especially as far as this very highly technical industry is concerned. In view of the fact that the majority of the workers there get as low a wage as Rs. 75, is this matter also being looked into by the Government of Bihar?

Shri Manubhai Shah: All the matters connected with labour are being looked into. The hon. lady Member knows about this union. They have

been in conflict for the last two years and inspite of the best efforts of the Bihar Government no satisfactory compromise had been evolved and I will seek the co-operation of the hon. Members to see that this trouble there is resolved.

Shri Hem Barua: In view of the fact that the firm's production of chilled roll during the last two years has fallen much below its production during the previous years, what is the gap between the actual production and the requirement of the country?

Shri Manubhai Shah: As I said, production has not fallen; actually production has never started. In the first year, it did give a little satisfactory production of about 300 tons but since then troubles cropped and the production fell. They ordered a new electric furnace. The electrical furnace will be installed but the technical erectors went away by that time. All these things have now been dovetailed and the electrical furnace will soon go into production. But it will not satisfy more than five per cent. of the country's demand.

Sericulture Industry in Orissa

*1907. **Shri Sanganna:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any scheme has been received from the Government of Orissa for the development and promotion of sericulture in Orissa during 1958-59; and

(b) if so, with what result?

The Minister of Industry (Shri Manubhai Shah): (a) and (b). The Government of Orissa submitted 9 schemes for the development and promotion of sericulture during 1958-59. The Central Silk Board has considered these schemes and recommended financial assistance for all of them totalling Rs. 81,808/- (Rs. 52,258/- as grants and Rs. 29,550/- as loans). Funds are expected to be sanctioned shortly.

Shri Sanganna: May I know whether the schemes are run by the Government of Orissa or through other agencies?

Shri Manubhai Shah: There are different agencies. These are for training, for propaganda, administrative apparatus and the like.

Shri Sanganna: May I know whether these schemes are in continuation of the old schemes or they are fresh schemes?

Shri Manubhai Shah: Most of them are in continuation of the old schemes. They are trying to bring two or three new schemes.

Installation of Automatic Looms

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*1910. { **Shri Naushir Bharucha:**
 { **Shri Silva Raj:**
 { **Shri B. K. Galkwad:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have decided on a policy of liberalisation of the conditions for the installation of automatic looms in cotton textile mills in Bombay State;

(b) if so, what are the relaxations contemplated;

(c) whether automatic looms will be permitted for particular counts and categories of cloth; and

(d) what effect such relaxation will have on the displacement of operatives?

The Minister of Commerce (Shri Kanungo): (a) No, Sir.

(b) to (d). Do not arise.

Shri Naushir Bharucha: May I know whether the Government has got any programme for installing automatic looms in the remaining years of the Second Plan?

Shri Kanungo: The proposals issued by the Government in 1955 were

not well accepted and Government has no plans for the modification of those proposals at the moment.

Shri Yajnik: Is it a fact that thousands of automatic looms have already been erected in many textile mills in Bombay State, in Ahmedabad, Bombay, etc.,

Shri Kanungo: Except the replacements under the procedure which had been prescribed, there have been no other installations. There have been several installations before prohibition came in somewhere round about 1953-54.

Shri Somani: What is the number of automatic looms installed in the Bombay State in pursuance of the Government scheme announced sometime in 1956 for the promotion of our exports?

Shri Kanungo: All I know is that effective steps have not been taken in many cases and I have no information of the exact number of looms in position.

Shri Ramanathan Chettiar: What is the total number of automatic looms installed in the country since the introduction of this scheme?

Shri Kanungo: I have no information.

Shri Ramanathan Chettiar: What steps will the Government take to see that automatic looms are installed in order to boost our exports?

Shri Kanungo: The installation of the automatic looms depends upon the acceptance of the labour unions. Under the scheme which we have for the normal replacement of looms by automatic looms, unless the labour unions agree, they are not permitted.

Shri Bharucha: What progress is made in the direction of installation of automatic looms or is the matter in a state of stalemate?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): As my hon. colleague has just now

said the real difficulty has been that the labour unions concerned have not agreed to this change. When the Government took this decision, it was decided that it should be done in consultation with labour unions. Recently, I had a talk with the labour leaders and they did not fall in line with our policies. I am still pursuing the matter and I have received a note from them explaining their point of view. We propose to discuss it further with them and then it may be possible, after having that discussion, to go ahead with the scheme.

Industrial Estate in Rourkela (Orissa)

*1911. **Shri Panigrahi:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether any scheme has been finalised for establishing an industrial estate in Rourkela in Orissa; and

(b) whether the Union Government have been approached for rendering any financial assistance for the proposed industrial estate?

The Minister of Industry (Shri Manubhai Shah): (a) Yes, Sir.

(b) The formal detailed proposal of the State Government is awaited.

Shri Panigrahi: What will be the share of the Central Government in the expenditure on the proposed industrial estate at Rourkela?

Shri Manubhai Shah: Rs. 14 lakhs—all from the Central Government.

Shri Panigrahi: What will be the industry or industries proposed to be located in this industrial estate?

Shri Manubhai Shah: We shall decide as soon as plans are ready.

Shri Achar: May I know the reasons why Rourkela was selected as the centre for this?

Shri Manubhai Shah: The policy which has now been further enlarged, as the House is aware, is that we

are attaching ancillary industries to most of the public sector projects. This is in accordance with that policy.

Shri Panigrahi: May I know whether the Central assistance will take the shape of loans and grants?

Shri Manubhai Shah: All loans.

Type-writers

1912. **Shri Yajnik:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the concerns producing type-writers in India are prevented from working to their full capacity by not getting foreign exchange for the steel that they have to import for their type-writers;

(b) whether it is a fact that the value of the steel that these concerns require amounts to about Rs. 12 per type-writer;

(c) the total number of type-writers imported into the country and the value thereof; and

(d) the additional number of type-writers that can be produced by the Indian concerns on getting this small necessary amount of foreign exchange and the estimated value thereof?

The Minister of Industry (Shri Manubhai Shah): (a) Production in a few units may have been affected to a very small extent owing to shortage of imported steel. However, the overall production of typewriters in the country has actually gone up as shown in statement laid on the Table of the Lok Sabha, [See Appendix VIII annexure No. 49.]

(b) The value of imported categories of steel per type-writer ranged from Rs. 25 to Rs. 32 during 1957-58 and not Rs. 12 per type-writer.

(c) The required information is also contained in the aforesaid statement.

(d) It is hoped that with the improvement in the supply position of steel, production will increase.

Shri Yajnik: May I know the maximum number of typewriters that can be produced in the country today and the installed capacity that already exists?

Shri Manubhai Shah: As is given in the statement, last year's production was 15,430. But the installed capacity, if foreign exchange is available and also all the raw materials are available, can be enhanced in the next three years to 36,000 typewriters.

Shri Yajnik: What is the amount of foreign exchange that is spent on the import of steel that is required for this?

Shri Manubhai Shah: They are different for different units. It varies from 20 per cent. in one case to about 65 per cent. in another case.

Shri Yajnik: What is the total?

Shri Manubhai Shah: The total value is not kept in separate statistics. This relates to each firm according to its requirements.

Shri Jeshim Alva: Out of 15,430 typewriters produced in 1957, how many were produced by the foreign firms who have set up their manufacturing concerns in India, e.g., Remington Typewriter (Private) Ltd. and how many by the sole Indian concern, Godrej?

Shri Manubhai Shah: The Godrej Company has produced about 2300 typewriters, Remingtons have produced 11900 and the Rayala Corporation 1773.

सेड गोविन्द दास : जिस इस्पात की टाइपराइटर्स में जरूरत होती है, क्या उस के बनाने का कोई प्रयत्न भारत में किया जा रहा है और यह कब तक घासा की जाती है कि हम को बाहर से टाइपराइटर्स नहीं मंगाने पड़ेंगे ?

बी. जगन्नाथ साहू : टाइपराइटर्स का घायात भावकल बिलकल बंद है।

कि मैंने स्टेटमेंट में कहा है जुलाई सन् १९५७ से टाइपराइटर्स का घायात बंद है और हमारा इरादा जहां तक हो सके उस को सोलने का नहीं है। इसका मतलब यह है कि हम हिन्दुस्तान में ही सारे टाइपराइटर्स अपनी जरूरत भर के बनायेंगे। जहां तक मेटल का तात्बुक है वह २५ रुपये का स्टील ऐलाय नहीं बन सकता है इसलिए क्लिहल उसे मंगाना पड़ता है।

Shri Tangamani: From the statement we find that since July 1957 the import of typewriters has been completely banned, and last year there were more than 15,000 typewriters manufactured in the country. May I know how many typewriters are likely to be manufactured this year?

Shri Manubhai Shah: It is difficult to anticipate that because of foreign exchange difficulties. Even if we have to go without typewriters we may have to little bit tighten up because of the foreign exchange restrictions.

Shri Tangamani: I wanted to know whether it is still at 15,000 or anything more is likely to be manufactured during this year—1958.

Shri Manubhai Shah: It is difficult to anticipate but, as I said in the main part of the answer, we do expect a certain rise.

Closure of Textile Mills

1914 { **Shri Balasaheb Patil:**
Shri Jadhav:
Shri Bhoji Bhai:
Shri Rameshwar Tantia:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the textile mills in Dhulia and Amalner (Bombay State) will be closed down shortly;

(b) whether it is also a fact that the management have served notices to the workers to that effect;

(c) what is the number of workers in the above mills; and

(d) what steps Government are taking to avoid the closure?

The Minister of Commerce (Shri Kanungo): (a) and (b). The Hon'ble Member is presumably referring to Messrs. Pratap Spinning and Weaving and Manufacturing Co. Ltd., Amalner, and Messrs. New Pratap Spinning Weaving and Manufacturing Co. Ltd., Dhulia. The mill at Amalner has put up a notice for closure of the mill from 16th May, 1958. From the mill, at Dhulia, no intimation has been received as regards its complete closure. The mill is at present working partially since 11th January, 1958.

(c) The number of workers employed in the above mills are 2,676 and 2,579 respectively.

(d) The representatives of both the mills were interviewed by the Textile Commissioner in connection with the closure of the mills when it was suggested to them to apply for loans from the National Industrial Development Corporation for modernisation of their machinery which was said to be old and outmoded.

Shri S. M. Banerjee: Sir, this closure of textile mills has become a very serious problem. May I ask the hon. Minister whether this matter is being looked into seriously, and whether a High Power Committee is going to be appointed to go into the cases of all textile mills which have been closed—this may be the 28th or 29th—in the country?

Shri Kanungo: The normal closures of mills usually have been of the order of 20 to 25 all along.

Mr. Speaker: Per annum?

Shri Kanungo: 25 mills per year—that is in past years. At present it is somewhere round about 35 or 37. Therefore, it is on the higher side, but we hope that with the recent fiscal measures which have been taken conditions will improve and there will be no cause for anxiety.

Shri Rameshwar Tantia: May I know whether the Government is aware of the present condition of some of the coarse and medium cloth manufacturing mills; and if so, what steps the Government is taking to check further closure of these mills?

Shri Kanungo: I have already said that in view of the difficulties certain fiscal measures have been taken as late as march, 1958, and we hope that in a short time conditions will improve in respect of mills which are largely on coarse and medium cloth.

Shri Kamalnayan Bajaj: May I know whether it is a fact that the management and labour union at Dhulia negotiated and came to some sort of compromise by which the labour will voluntarily accept reduced wages, and the management has agreed to start the mill?

Shri Kanungo: Some negotiations are going on under the auspices of the Bombay Government; we have not got the latest details about it.

Shri Yajnik: In view of the fact that most of the 35 mills remain closed and none of them has reopened after they closed down, does the Government know that there is a very serious apprehension being felt in Bombay and other cities of the impending closure of a good number of textile mills in the near future because of the very big and excessive accumulation of stocks with them?

Shri Kanungo: I would suggest that the apprehension of a large-scale closure is not justified, because within recent weeks stocks have been moving. I would also take this opportunity to correct the figure relating to closure of mills which I gave earlier—it is not 37, it is 27 or 26.

Shri Goray: May I know whether the Somani Enquiry Committee has been asked to go into the details of the working of these mills?

Shri Kanungo: Not all these mills; the Somani Enquiry Committee was set up for two mills.

Shri Khadilkar: As he just now said that all the mills are not closed because stocks have accumulated, is it a fact that some of the mills are closed down because of bad management and, if so, have Government taken any steps to enquire into this aspect of the management of mills?

Shri Kanungo: Some of the mills might have been closed down due to various other causes, but they will all be enquired into. When bad management is complained of, that will be enquired into. But, as I said, the number of closure of mills in India, out of the 460 mills, is not enormous.

Shri S. M. Banerjee: Sir, the excise duty has been reduced and some relief has been given to the millowners. May I know if after the reduction any millowner has come forward to reopen a closed mill?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Sir, I shall state the general position. It was generally said by the millowners that if they get some relief in excise duty it would be possible for them to open the mills and continue production. They also expected that the stock would be lifted up. The reduction has been given, as the House is aware, but it has been given very recently and it is very difficult to give exact figures of the lifting of cloth. But the reports that I have received convey—I get that impression, I cannot be quite certain about it—that the lifting has considerably improved since the relief in excise duty was given. I hope the House will wait for some time to see the result of the relief given to them.

But, in case the lifting is not satisfactory and the stock continues to accumulate, Government will have to think over that matter seriously. That matter, in a way, is engaging my attention, and I propose to have a discussion with the millowners when

I go to Bombay next, but I cannot say what further steps will have to be taken.

As regards mismanagement in mills, as my colleague has said, if in any particular case action is called for, it will be taken.

Shri Tangamani: In the light of the statement made by the hon. Minister, may I know whether suitable steps would be taken to prevent the closure of the mills in Amalner, who have said that they will close on 16th May, 1958, since the closure of these mills affects more than 2500 workers?

Shri Lal Bahadur Shastri: As already stated by my colleague, the Bombay Government—Shri Shantilal Shah, Minister—is discussing with the Union. He is trying to arrive at some settlement and he is quite hopeful in that. If that settlement is arrived at, it would be possible for the mill to work.

Shri S. M. Banerjee: As the hon. Minister said that he will have some talk with the millowners in Bombay, may I submit that about 10,000 workers in Kanpur have been rendered surplus—they are on the street—and may I know whether the hon. Minister will kindly consider this matter and talk to the millowners of Kanpur who are notorious?

Shri Lal Bahadur Shastri: If the hon. Member will invite me to Kanpur, I will certainly go there.

Shri Damani: Apart from these two mills, may I know whether some other mills have been served with a notice of closure, and, if so, the names of those mills may be given.

Shri Kanungo: No, Sir. We have no information about that.

Shri K. N. Pandey: May I know how far the reduction of excise duty has eased the situation in Kanpur, because three mills are closed for the last so many months and there is no hope of improvement?

Shri Kanungo: As has been said earlier, it is too early to assess the fiscal measures. We have to wait and see the momentum of the effect on those mills.

Import of Small Cars

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*1918 { **Shri Rajeshwar Patel:**
Shri Feroze Gandhi:
Dr. Ram Subhag Singh:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Messrs. Hindustan Motors have been allowed to import small cars recently;

(b) if so, the number of such cars and the amount of foreign exchange involved;

(c) the landed price of each car; and

(d) the control, if any, Government exercise on the selling of these cars?

The Minister of Industry (Shri Manubhai Shah): (a) to (d). As several Hon'ble Members have evinced interest in this matter, a detailed statement is laid on the Table of the Lok Sabha. [See Appendix VIII, annexure No. 50.]

Shri Rajeshwar Patel: In the opening paragraph of the statement it is said that applications were made for the importing of baby cars as early as 1954. May I know what were the special reasons which weighed with the Government to deny or not to entertain the applications for import in 1954-1955 and 1956, and what were the particular reasons for sanctioning the import in 1957, when it is said that the foreign exchange position was rather difficult and also in view of the fact that the other manufacturing units of baby cars were not allowed their usual quota on the plea that there was the difficulty of foreign exchange?

Shri Manubhai Shah: The whole position has been amply set out in

the statement. First it was licensed in 1953 and token imports were allowed in 1954. Then the Morris Minor was being changed to Morris 1000cc by the foreign collaborators. In September, 1955, the firm submitted the manufacturing programme. I am only repeating what is given in the statement. In September, 1955, they sent us a new scheme for Morris 1000cc. At that time, as the House is aware the entire question had been already entrusted to the Tariff Commission. So, Government thought it fit to wait for the Tariff Commission's report. I have reproduced the Tariff Commission's comment in the statement on Baby Hindustan. Therefore, it was thought that we may allow the manufacture of the Hindustan Baby to go forward. That was in October, 1956. Therefore, licences were issued in the first place for 250 units. Subsequently, as the House is aware, the foreign exchange situation developed. It was post-January, 1957.

Dr. Ram Subhag Singh: That is not the reply to that question. The question was quite different.

Mr. Speaker: He said that it started as early as 1953.

Dr. Ram Subhag Singh: The question was why there was discrimination.

Mr. Speaker: There is no discrimination so far as the Minister is concerned. He says this matter was taken up as early as 1953, and so on.

Shri Feroze Gandhi: Is it a fact that the import licences for established manufacturers whose indigenous content had reached 38 per cent. in the case of Fiat and 30 per cent. in the case of Standard 10 were drastically cut due to foreign exchange crisis and whether these cuts were restored prior to the Hindustan Motors being granted Rs. 17 lakhs foreign exchange for the import of 500 Baby Hindustans in completely knocked down condition for subsequent assembly.

Shri Manubhai Shah: No, Sir. I would also add this, in answer to what the previous hon. Member asked and which escaped my attention. No other baby cars were discriminated against. Standard 10 is still being manufactured. So there was no question of denying Standard 10 anything. As far as Fiat is concerned, Fiat 1100 was the only car licensed, and when we speak of these baby cars, Fiat 1100, Standard 10 and Hindustan Baby were classed together. There is another baby car which was never licensed, that is the car baby Fiat of 600 to 800 cc. It was never manufactured no licence allowed for it. So, there was no discrimination or discriminatory treatment between any three of these baby cars, but the Tariff Commission did say that—

Mr. Speaker: The hon. Minister says that there was no baby car at all.

Shri Manubhai Shah: There was absolutely no discrimination between the three baby cars so-called—Fiat 1100, which was mentioned like that, Standard 10 and Hindustan Baby. There was no discrimination. As far as licence for the Hindustan Baby is concerned, for the period which the hon. Member has referred to, the allocations have been pointed out.

Shri Feroze Gandhi: I am not asking for allocation. I am asking whether their quotas were reduced.

Shri Manubhai Shah: No, Sir.

Dr. Ram Subhag Singh: May I know what has been the indigenous content of this Hindustan Baby? The Tariff Commission has recommended that the foreign content should be imported through the State Trading Corporation. May I know also why this process was not observed in importing the foreign content?

Shri Manubhai Shah: There also, there is a misunderstanding. The Hindustan Baby manufacturing programme, the new baby car that is, Morris 1000 cc. never actually started at all. It was in October,

1956 when we took a decision that this car, as the Tariff Commission recommended, should be considered to be fit for further production in the next three months. As the House is aware, the situation entirely changed in January, 1957. There was no difficulty in October, 1956. It is within the full knowledge of the House that the foreign exchange position was not considered at all bad and really it is from 1st January, 1957 that the entire position changed. But for that, I can assure the House, that the Hindustan Baby would have been allowed a larger manufacturing programme than we were able to do. We are really sorry to restrict a good car like this; because of the extreme foreign exchange restriction it has not been allowed to go forward.

Regarding the allocation also, I may say that the foreign allocations are made in a manner of totality, as I have mentioned in the statement also, according to the requirements of a particular factory. They are not made for every car; they are not made for every truck; they are not made for every jeep. We look into all the question. I again repeat from the statement, for the information of the House, that the general criterion for allocation of foreign exchange is like this.

Shri Feroze Gandhi: The question is whether—

Shri Manubhai Shah: I am telling this, because when a question is put—

Mr. Speaker: The hon. Minister is trying to avoid other supplementary questions.

Shri Manubhai Shah: When the question is asked in a particular manner, it is likely to create an incorrect impression.

Mr. Speaker: Because something in the way of discrimination is passing in the minds of the hon. Members, it is better to clear the matter now one way or the other.

Shri Manubhai Shah: The allocation of foreign exchange to the

different automobile units is made on the basis of performance, increasing percentage of indigenous content, sales and stocks, and maintaining the level of production and employment. The last fifteen months have been really hard and it is for us to maintain the production in every industry and on that basis, the licences have been given. For the information of the House, I may add this, and I am inclined to give more information, as the House has evinced great interest in this matter.

Shri Feroze Gandhi: Give us a chance.

Shri Manubhai Shah: In January—July—September period, the Hindustan Motors was given Rs. 98 lakhs; the Premier Automobiles was given Rs. 2,16,00,000; Telco was given Rs. 4,24,00,000; Ashok-Leyland was given Rs. 41.95 lakhs; Mahindra and Mahindra was given Rs. 86.41 lakhs; Standard Motors was given Rs. 50 lakhs. Total is Rs. 9,17,00,000.

In the October, 1957—March, 1958 period, the Hindustan Motors was given Rs. 1,17,00,000; Premier Automobiles, Rs. 2,42,00,000; Telco, Rs. 2,44,00,000; Ashok-Leyland, Rs. 1,20,00,000; Mahindra and Mahindra, Rs. 65,00,000; Standard Motors, Rs. 39.93 lakhs. Total is Rs. 8,29,00,000.

Shri Feroze Gandhi: The hon. Minister said just now that the manufacturing programme of Baby Hindustan was approved in October, 1957. On the 14th November, 1957, speaking on the Indian Tariff (Amendment) Bill, the hon. Minister stated that the babies are still under consideration and went on to say:

“As a matter of fact we are encouraging Standard 10. What I said was about Baby Fiat and Baby Hindustan. We do feel that at this juncture, either for Hindustan Motors or for Premier Automobiles to again divert their energy from Fiat 1100 and Hindustan Ambassador would not be very wise.”

So, in October they decided on the manufacturing programme and in November they said that it would not be very wise. Conversion licence has been issued for about Rs. 9 lakhs, that is, conversion from Ambassador to baby Hindustan. May I know whether these two things do not contradict, each other—the statement that the hon. Minister has made and the present position?

Shri Manubhai Shah: They do not contradict at all. November is not the correct period. The House debated this somewhere in January, and—

Shri Feroze Gandhi: I am reading from the Official Report. I got them from the Official Report. How can the hon. Minister say it is not correct?

Shri Manubhai Shah: Please let me explain. What I said was that the Government resolution on the Tariff Commission—

Shri Goray: We want a full-dress debate on this matter, I suppose.

Dr. Ram Subhag Singh: Let there be a full-dress debate on this.

Shri Manubhai Shah: What I was urging was that it has always been under Government's consideration. A programme, before it is approved, has got to take into account the raw materials. The Government has got to take the liability of raw material requirements. What we did was, to allow a token import in the period July—December, 1956 thinking that as the Tariff Commission has gone into this matter, we may be able to let them allow to go forward, but unfortunately, in January, 1957 the condition was different. I am again repeating what I already told the House. It has always been the feeling of the Ministry—of the Government of India—that as long as the indigenous content of a particular manufacturer does not go up, it will not be wise for any manufacturer to enlarge his own programme. That is why, in spite of the feeling expressed on the floor of the House at that time and later on in January when we had a discussion on the Indian Tariff (Amendment) Bill,

I repeated the same sentiment that it will not be wise for these friends to go in for additional production.

Mr. Speaker Next question.

पटसन मिलें

*१९१८. { श्री रामेश्वर दाहिया :
श्री भोजबो भाई :

क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) भारत में कितनी पटसन की मिलें विदेशी कर्मा द्वारा संचालित हैं ;

(ख) क्या यह सच है कि इन में से कुछ मिलें गत कई वर्षों में नुकसान में चल रही हैं ; और

(ग) यदि हां, तो इस सम्बन्ध में क्या कार्यवाही करने का विचार है ?

बाणिज्य मंत्री (श्री कानूनगो) :

(क) ३१ मिलें ।

(ख) और (ग). सरकार को पता चला है कि कुछ जूट मिलों को हाल ही में नुकसान हुआ है। सरकार इस मामले पर ध्यान दे रही है ।

I shall read it in English now.

(a) 31.

(b) and (c). It has come to the notice of Government that some jute Mills have recently sustained losses; Government are looking into the matter.

Shri Rameshwar Tantia: May I know whether some enquiry was made by Government against some mill-owners and it was then found that there is a possibility of misappropriation in buying jute from the mofussil for selling manufactured goods in U.S.A. through their own agency houses?

Shri Kanungo: There was no such enquiry by Government. Government are studying the position and trying to find out the real reasons for the loss. There was no formal enquiry under the Regulation Act.

Shri Rameshwar Tantia: As the hon. Minister has stated that some mills have been found to be continuously running at losses, will Government make an enquiry into the matter?

Shri Kanungo: Not, at present. If the Government feels that it is necessary, it will do so.

Shri Surendranath Dwivedy: Has the Government ever considered the possibility of transferring one of the existing jute mills in Calcutta to Orissa in order to make it a profitable venture?

Shri Kanungo: That has not been considered, because the capacity to-day is much more than the requirements.

Shri Muhammed Elias: As many of these foreign jute mills are running at losses due to bad management and as the workers are being retrenched, may I know whether Government is thinking of taking over all those mills which are running at a loss due to bad management?

Shri Kanungo: The total production has been kept steady. In fact, for some years past, it has gone up. Government is studying the situation—why some of the mills are running at losses. If necessary, further steps for enquiry will be taken.

Electric Furnace of JEMCO

*1919. Shrimati Renu Chakravarty: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the Electric Furnace for steel casting of Jamshedpur Engineering and Machine Manufacturing Company Ltd. (JEMCO) imported three years ago, has not been set up;

(b) how much foreign exchange was involved in imports of the electric furnace; and

(c) whether any enquiries have been made to find out the reasons for its non-utilisation?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix VIII, annexure No. 51.]

Shrimati Renu Chakravartty: From the statement I find that the furnace could not be put into operation because the Company did not get cables etc. I would like to know whether the entire machinery has now been erected and whether the furnace is now working

Shri Manubhai Shah: As far as the cables are concerned, they were brought in. But they were stolen; not that they did not import them. Now the new cables have arrived. Unfortunately, it took much time for the new cables to come. In the mean while, the erectors had left India. Now, with the help of the Indian erectors the furnace will be erected very soon.

Shrimati Renu Chakravartty: When the Government is going to have a heavy plant at Ranchi, may I know whether this will be taken over as an auxiliary under the Industries (Development and Regulation) Act?

Shri Manubhai Shah: This is too small an installation for Government to take over. We are going to manufacture not only steel rolls but all the types of rolls needed in the country.

Shrimati Renu Chakravartty: In view of the fact that about 1,000 employees were employed there, of which only 400 are at present employed, and in view also of the fact that Government is just now going to set up this very specialised industry in the public sector, may I know whether Government will take over some of the workers there?

Shri Manubhai Shah: It is too early to anticipate what will happen in 1960-61 when the Czechoslovakian foundry project will come into being. All the same, those who are good technicians will be most welcome to come to the plant.

Export of Kashmir Timber

***1920. Shri Yajnik:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the timber produced in Kashmir has generally been supplied to India during the last 10 years;

(b) whether some part of it has recently been exported to Pakistan;

(c) whether it is a fact that a substantial part of this timber is being smuggled into Pakistan at present; and

(d) whether any steps have been taken to ensure a regular supply of all the Kashmir timber to India?

The Minister of Commerce (Shri Kanungo): (a) and (b). Yes, Sir.

(c) Government have no information

(d) Yes, Sir.

Shri Yajnik: May I know whether the very difficulty that is being felt by our railways of sleepers and sufficient amount of timber is not due to the fact that a large amount of timber that was available from Kashmir is not available because the import of Kashmir timber has seriously diminished during the last few years?

Shri Kanungo: Yes, but it is not serious. The whole of timber and other hard wood in Kashmir are being consumed in India. The problem is one of extraction and transport. Only a very limited quantity of soft wood is allowed for export to Pakistan, because river Chenab is the only outlet. Recent-

ly, the railway administration and the Kashmir Government had discussed this and they have come to an agreement to up-grade the timber supply for railway purposes.

Shri Yajnik: Would the Minister tell us the exact percentage of timber that is now lost to us or that has been reduced during the last few years?

Shri Kanungo: It is not loss; nothing is lost.

Shri Yajnik: All right, reduction.

Shri Kanungo: Our anticipations are likely to be fulfilled. Our anticipation for the current year is more than four lakhs.

Welfare Extension Projects

*1921. **Shri Panigrahi:** Will the Minister of Planning be pleased to state:

(a) whether it is a fact that the Programme Evaluation Organisation was entrusted with the evaluation of the working of Welfare Extension Projects and other programmes undertaken by the Central Social Welfare Board in different States; and

(b) if so, whether any report has been submitted by the Organisation so far?

The Parliamentary Secretary to the Minister of Labour and Employment and Planning (Shri L. N. Mishra): (a) Yes, Sir.

(b) Not yet, Sir.

Shri Panigrahi: May I know whether an early study group visiting different social welfare projects in different States suggested the transfer to these projects to the State Government and, if so, what steps have been taken in that direction?

Shri L. N. Mishra: I am not aware of the suggestion.

Shri Panigrahi: May I know whether there is a proposal to set up

any study team to study the welfare extension projects?

Shri L. N. Mishra: The committee on Planned Projects has already set up a sub-committee under the leadership of Shrimati Renuka Ray, a Member of Parliament.

Shrimati Renu Chakravartty: What is the personnel of that committee?

The Deputy Minister of Planning (Shri S. N. Mishra): It consists of six Members. Shrimati Renuka Ray is the leader of the team and among the members are Professor Goray of the Delhi School of Social Science, Shri Heda, M.P., Shri Viyogi Hari and one financial and administrative official who is yet to be nominated.

Indians Arrested by Pakistan Police

*1922. **Shrimati Renu Chakravartty:** Will the Prime Minister be pleased to refer to the reply given to Starred Question No. 1233 on the 26th March, 1958 and state:

(a) whether the seven nationals arrested by East Pakistan Police from Kalindi River, 24 Parganas have since been released;

(b) whether the Indian Deputy High Commissioner, Dacca was able to meet the arrested persons; and

(c) whether there is any truth in the news that these persons were beaten by Pakistan Police?

The Parliamentary Secretary to the Minister of External Affairs (Shri Sadath Ali Khan): (a) The Government of East Pakistan informed the Government of West Bengal on 5th April 1958 that these Indian nationals were arrested on the eastern bank of the river in Pakistan territory and that they were produced before the Sub-Divisional Officer, Satkhira (East Pakistan) who has released them on bail. The Court proceedings against them are pending.

(b) The Deputy High Commissioner for India at Dacca has not met them but has kept constant contact with

the Government of East Pakistan for information regarding their whereabouts.

(c) Government have no information.

Shrimati Renu Chakravartty: Has the Government received any news from our Deputy High Commissioner in Dacca? Is the Government aware that as he has not met the prisoners, the bails given to them have been cancelled and they are now again in jail?

Shri Sadath Ali Khan: No, we have no information.

Shrimati Renu Chakravartty: May I know whether the Government is aware that the trial is going to start tomorrow? May I also know whether Government has given any legal help for defence?

Shri Sadath Ali Khan: I want notice. I am not sure whether the trial may start tomorrow or the day after. I do not know.

Shrimati Renu Chakravartty: In view of the fact that it is much easier for us, non-officials, to get news, because it is only across the river, what is the difficulty in the way of Government getting any information of any valid character from our representatives in Dacca?

Shri Sadath Ali Khan: I am personally unaware of the news. I have to find out.

Shrimati Renu Chakravartty: In this particular case for the last two months it has been next to impossible to get any information of our nationals who have been arrested. What is the machinery which Government propose to set up in order to get quick information and help those who have been arrested and kept in detention in jails in Pakistan?

The Deputy Minister of External Affairs (Shrimati Lakshmi Menon): There is already a procedure laid down to deal with such matters and in

this particular case we had taken the aid of our High Commission in Karachi also. Efforts were made to get information about these seven people who were arrested. It has already been pointed out that through the efforts of the Deputy High Commissioner in Dacca, these people were released on bail. We do not know anything about their whereabouts. Every effort has been made to find out about their whereabouts. The latest information that we have is that the case is pending against them.

Shri T. K. Chaudhuri rose—

Mr. Speaker: The Question Hour is over.

12 hrs.

SHORT NOTICE QUESTION AND ANSWER

Import of Trucks

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S.N.Q. { **Shri Feroze Gandhi:**
No. 17. { **Dr. Ram Subhag Singh:**

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that special import permits have been granted to the Hindustan Motors Ltd. for the import of Bedford or Chevrolet trucks;

(b) if so, the number of trucks for which permits have been issued; and

(c) the amount of Foreign Exchange involved and also the special circumstances in which this Exchange has been made available?

The Minister of Industry (Shri Manubhai Shah): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix VIII, annexure No. 52.]

Shall I read the statement, Sir?

Mr. Speaker: It is not necessary. The hon. Member has read the statement.

Shri Feroze Gandhi: The foreign exchange component of this licence is about Rs. 85 lakhs. I would like to know in view of the fact that the indigenous content of the Mercedes-Benz truck is 43 per cent. and that of the Dodge is 49 per cent., why the reduced quotas of these manufacturers were not restored before the grant of this licence to Hindustan Motors for importing 1,000 trucks in a completely knocked-down condition in terms of the Government resolution on the Tariff Commission's report, which, with your permission, I would like to read.

Mr. Speaker: It is not necessary.

Shri Feroze Gandhi: It is only two lines.

Mr. Speaker: The hon. Member knows it and the hon. Minister knows it. Let him give an answer.

Shri Manubhai Shah: I would like to clarify some of the mis-understanding in the question itself. This is not at the cost of any other manufacturer. The Hindustan Motors were getting for the Studebaker truck a certain amount of foreign exchange, but this had to be stopped because the technical collaboration, as I mentioned in the Statement, could not be fruitful and they only wanted substitution of another type of manufacture. General Motors' programme, as I mentioned in the statement, was found to be entirely satisfactory. As a matter of fact, for the whole year, we have not been able to give them any foreign exchange on trucks in spite of the fact that to other two manufacturers we have given a very sizeable quantity.

The Tariff Commission's report which the Government accepted through the Governmental Resolution mentioned that the first priority should be given to commercial vehicles. The figures of production will bear out that....

Shri Feroze Gandhi: I have asked a specific question. I do not know what the answer to that is.

Mr. Speaker: The hon. Member has raised a point of order. I must be prepared to decide that. What I have heard the hon. Minister saying is that there has been absolutely no discrimination and he has given foreign exchange to some other manufacturers also. It is not at the cost of any manufacturer.

Shri Feroze Gandhi: Does he maintain that?

Mr. Speaker: He has said so. I am here to decide the point of order which he has raised and not what he is going to raise. The answer of the hon. Minister pertains to what has been asked. There is no discrimination so far as General Motors or something else is concerned.

With respect to others he has said that they have been given aid and the interest is according to the recommendations of the Tariff Commission. A larger number of trucks than commercial vehicles are to be imported. That is what I understand the hon. Minister has said.

Shri Feroze Gandhi: My question was a direct one and that was whether the quotas of other manufacturers were reduced and whether those quotas were restored because this licence was given for importing trucks in a completely knocked-down condition.

Shri Manubhai Shah: I am answering specifically that particular question. There is nothing like a fixed quota for anybody. As I mentioned previously also, the total volume of foreign exchange is given for the entire factory and not for the different units. Again I would repeat that licences for trucks—because in the previous answer I gave for the overall trucks—were given to the Premiers in the January–September period.

Mr. Speaker: The hon. Member does not want all this information. All that he wants is whether a particular

quota given to any of those other companies has been reduced. I understand the hon Minister as saying that no quota is fixed and therefore no question of reduction arises. Is it not so?

Shri Manubhai Shah: It is not quite as straight-forward as that. It is not a matter of deduction.

Mr. Speaker: Hon. Minister has said it is not as straight as that; he means as simple as that.

Shri Manubhai Shah: It is not as simple as that, if I may correct myself. The reason is that from the allocations it would be seen that these 1,000 trucks had been at the cost of none else. The production of everything else is being maintained and the quantum of production is being upgraded. I was trying to give figures...

Shri Sinhasan Singh: Has any reduction in quota at any time been restored before licence for these 1,000 trucks was given?

Mr. Speaker: We are developing into something like what is happening elsewhere in some countries, as if the Minister is a person to be attacked from all sides. However interested hon. Members might be, we ought not to create an impression that a Minister—if he unfortunately happens to be a Minister—is there to be attacked and is not to be allowed to give full explanation. Let him take his own time. All kinds of aspersions are being cast. He is trying to explain the matter in his own way. Let him answer, yes or no. I do not know how many hon. Members are practising lawyers. It is impossible to carry on like this. Therefore I must allow the hon. Minister to go on. No interruption is proper. If, after the hon. Minister's reply, hon. Members are still not satisfied, I will give one or two opportunities to have this particular matter cleared up. Every hon. Member gets up to raise some other point of order. Where is the point of order in what Shri Sinhasan Singh has said? It is not right. Let the

hon. Minister explain as to what has happened.

Shri Manubhai Shah: I was mentioning that the truck programme of none of the other two manufacturers has been affected. As a matter of fact, it has gone up. The production of TELCO Tata-Mercedes-Benz, which was 2,338 in 1955, went up to 5,153 in 1956 and 7,041 in 1957. The production of Premiers which was 3,885 in 1955 went up to 5,285 in 1956 and to 5,572 in 1957. So, as I was urging, this quota to the Hindustan Motors could be considered as a quota which would have normally been available to them even if the Studebakers would have continued. Unfortunately, in the year 1957, Studebaker collaboration fell through and discontinued the production. It was late in the year 1957 that the General Motors combination became practicable and we gave it permission only in January, 1958. That is why for the period October-March, 1958 a quota of 1,000 trucks was given to them. It is not at the cost of any other manufacturer of trucks.

Shri Feroze Gandhi: I am very sorry that I have to bring to your notice that I am asking for information whether the import licences to the manufacturers were reduced and the hon. Minister is giving a reply about production. Production will be for past licences and not for the present ones. I am asking a direct question. Why has he withheld the information about licencing in 1957?

Shri Manubhai Shah: I will give you the figures.

Mr. Speaker: Hon. Minister will kindly reply. After all, it is a simple matter.

Shri Manubhai Shah: Shall I give the licensing figures? He wants the licensing figures.

Mr. Speaker: He has looked into those figures. It is open to him even without referring to those figures to say whether any quota, which has been allotted to others, has been re-

duced leading to an impression that on account of the reduction this has been enhanced and this reduction has been made good. Hon Minister can see through the intention of hon. Members who have got these doubts that some other's quota has been reduced for helping some other company.

Shri Manubhai Shah: I can assure the House that no quota has been given from other manufacturers' quota. Even in the normal course every six months we review them. There is no fixed allocation for the six months. The only consideration which has weighed with the Government for 1957 is to maintain the level of production and employment so that the quantities produced in any particular year do not go below what was produced in 1955 or 1956. Also, the licences given to them will be operable in that the actual production will come somewhere in the end or middle of 1958. It is not going to affect either the prospective or the retrospective production.

Mr. Speaker: The House will now proceed with the other work.

Dr. Ram Subhag Singh: My name is also there. One question at least, I should be allowed to ask. The Hindustan Motors obtained the consent of its foreign collaborator by the end of January, 1958 as has been mentioned in the statement, and the Government issued the import licence for 1000 trucks in February 1958. May I know the exact date in January and the exact date in February and the time taken by the Government to finalise their consideration? The hon. Minister just now said that no import quota has been given. May I also know whether they reduced the import licence of Telco by 800 trucks during the same period?

Shri Manubhai Shah: The real position is this. I will first read the licence figures so that the House will

know what is the amount of foreign exchange involved. To the Premiers, in the October-March, 1958 period, a quota of Rs. 1,95,00,000 was released for trucks. To the Telcos, the quota released was Rs. 2,44,00,000. To the Hindustan, it was Rs. 84 lakhs. These were the allocations. What I am urging is this. All these allocations are made without any comparison with any particular period and with a view that a larger number of trucks are made. The offtake and stocks in the next period are always taken into consideration. If the figures of the last few years are seen, it will be seen that there is no strict quota for the same type. We take an overall picture: what are the sales, what is the production, what is the manufacturing capacity, what will be the level of foreign exchange now required because the indigenous content has gone up. All these are taken into consideration. I can assure the House that the level of production of none of these two factories, Premiers and Tatas is going to suffer during the year 1958-59.

Dr. Ram Subhag Singh: What were the dates? I wanted to know the dates.

Shri Manubhai Shah: I can't remember the dates.

Mr. Speaker: What exactly passes in my mind is this. There are a number of manufacturers and they are very important in the country. **There is a limit to which these questions can be put. It appears as if every act that is done by the Government ought to be scrutinised with suspicion and the Government ought not to have the latitude to choose whom to give, looking to the great interest of the country as a whole, in the manufacture of these articles. **This is unfortunate. Let us proceed to the other work.

Shri Manubhai Shah: May I add one sentence?

Mr. Speaker: Papers to be laid on the Table.

WRITTEN ANSWERS TO QUESTIONS

State Trading Corporation of India (Private) Ltd.

*1897. **Shri V. C. Shukla:** Will the Minister of Commerce and Industry be pleased to state the efforts made by the State Trading Corporation of India (Private) Ltd., to:

- (i) improve the terms and conditions for export of new items;
- (ii) assist producers in making available goods of acceptable quality; and
- (iii) win the confidence and goodwill of foreign buyers?

The Minister of Commerce (Shri Kanungo): (i) The State Trading Corporation has endeavoured to find new markets e.g. Chrome Ore to China, Salt to Indonesia, Shoes and Woollen Textiles to U.S.S.R. In the terms and conditions of such imports, advantageous terms for inspection have been obtained.

(ii) (a) Inspection arrangements before despatch.

(b) By participating in the various International Trade Fairs and Exhibitions, it helps the producers in coming into competition with the exhibits of the foreign countries, and thus by the knowledge they gain, they are likely to manufacture the goods of acceptable quality.

(iii) (a) By meeting the wishes of the buyers and replacing the goods where they are rejected.

(b) by removing the uncertainty of deliveries by working on definite shipping schedules based on railway movements available.

(c) By imposing penalties for defaults.

Machines for Rolling and Drying of Tea

*1900. **Shri Hem Raj:** Will the Minister of Commerce and Industry be

pleased to state the steps taken by Government for the designing of small machines for rolling and drying of tea as recommended by the Tea Plantation Inquiry Commission?

The Deputy Minister of Commerce and Industry (Shri Satish Chandra): As indicated in the Government's Resolution dated the 1st July, 1957 on the Plantation Inquiry Commission's report on the Tea Industry, it was felt that there was perhaps no urgent need for the production of smaller sized machinery. However, the Tea Board was asked to consider this question. The matter was examined in detail by a Sub-Committee set up by the Board and later by the Board itself. The consensus of opinion was that it may not be economical for small producers to manufacture tea themselves with smaller sized machinery; and it would be more economical for smaller producers to manufacture black tea through bigger units.

However, to make sure that any demands of smaller producers for machinery are met the Tea Board proposes to assess their requirements, if any, through the agency of the Small Industries Service Institutes and then, if necessary, consider the question of design of small machines.

All India Petroleum Workers Federation

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*1902. { **Shri Narayanankutty Menon:**
 Shri Warrior:

Will the Minister of Labour and Employment be pleased to state:

(a) whether Government have received any communication from the All India Petroleum Workers Federation in respect of the demands placed on the oil companies in India; and

(b) if so, the action taken in the matter?

The Deputy Minister of Labour (Shri Abid Ali): (a) Yes.

(b) As the question raised by the Federation falls entirely within the State Sphere it would be helpful if

the Federation take up the matter with the State Government concerned.

Refusal of Visas to Indians passing through Pakistan

*1903. **Shri Balkrishna Wasnik:** Will the Prime Minister be pleased to state:

(a) whether it is a fact that the Pakistan Government is refusing visas to the Indian nationals to pass through Pakistan; and

(b) if so, what action Government propose to take in the matter?

The Parliamentary Secretary to the Minister of External Affairs (**Shri Sadath All Khan**): (a) A few cases have come to the notice of the Government of India in which the Government of Pakistan raised difficulties in granting transit visas to Indian nationals to pass through Pakistan by road.

(b) As visas were ultimately given as a result of our intercession with the Pakistan Foreign Office, no further action was considered necessary.

Tea Factories in Kangra, Punjab

*1908. **Shri Daljit Singh:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is a proposal for installation of two tea factories in Kangra district of Punjab; and

(b) if so, when the work of installation of these factories will be started?

The Deputy Minister of Commerce and Industry (**Shri Satish Chandra**):

(a) and (b). A scheme for the rehabilitation of the tea industry in Kangra which would include the setting up of a tea factory is under the consideration of the Punjab Government.

Purchase of Iron Ore by Italy

*1909. **Shri N. R. Munisamy:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that Italian Government Purchase Organisation

has proposed a long term contract to buy iron ore from Western India on the lines of recent Indo-Japanese Iron Ore Agreement;

(b) if so, the terms thereof;

(c) whether there is any proposal for the development of Railway and Port facilities in the West Coast; and

(d) the quantity of iron ore imported by Italy during January-December, 1957 and how much it has contracted to import during 1958?

The Minister of Commerce (**Shri Kanungo**): (a) No, Sir.

(b) Does not arise.

(c) Certain proposals are under consideration.

(d) A quantity of 62,242 tons of Iron Ore was imported from India by Italy during 1957. During 1958 a quantity of 1,90,000 tons has been contracted to be supplied so far.

Centenary Celebrations of Rabindranath Tagore

*1913. { **Shri C. K. Bhattacharyya:**
Shri S. C. Samanta:
Dr. Pashupati Mandal:

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether there is any proposal with the All India Radio to prepare the people's mind for the centenary celebration of Rabindranath Tagore; and

(b) if so, the nature thereof?

The Minister for Information and Broadcasting (**Dr. Keskar**) (a) and (b). The Centenary Celebrations of Rabindranath Tagore are being organised under the supervision of a High-power Committee under the Chairmanship of the Vice-President. The All India Radio is working under the guidance of that Committee and will take all necessary steps in conformity with the general plan. The

Committee is not under the Ministry of Information and Broadcasting but under the auspices of the Ministry of Education.

Manufacture of Earth-moving Equipment

*1916. Shri L. Achaw Singh: Will the Minister of Commerce and Industry be pleased to state whether any scheme has been received from the indigenous manufacturers for the manufacture of earth-moving equipment in India?

The Minister of Industry (Shri Manubhai Shah): Yes, Sir.

State Trading Corporation of India (Private) Ltd.

*1917. Shri V. C. Shukla: Will the Minister of Commerce and Industry be pleased to state:

(a) the total number of business deals in which the State Trading Corporation of India (Private) Ltd., has acted as commission agents or brokers since its inception;

(b) the total amount involved in such deals; and

(c) the amount of commission accruing to the State Trading Corporation on these deals?

The Minister of Commerce (Shri Kanungo): (a) to (c). The State Trading Corporation acts in a variety of ways in promoting and concluding business transactions. It does direct trading in minerals, and some other commodities, it implements Government's policies in regard to equalisation of prices and economical use of transportation facilities in commodities like cement; it helps its business associates to build up contacts and promote exports; it arranges link transactions, facilitating additional exports in exchange of imports of essential items of machinery and industrial raw materials from new sources of supply. The Corporation's role in some instances is analogous

to that of a commission agent or broker in bringing the buyers and sellers together, but out of the variety of the business techniques and modes employed by the State Trading Corporation, it is regretted, it is not easy to identify and classify purely commission agency business and isolate the amounts earned for such services.

Import of Tractors

*1923. Shri Yajnik: Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the imports of tractors and its spare parts have been drastically reduced within the last two years, giving the value of these imports;

(b) whether agricultural production is adversely affected by the drastic reduction in the import of tractors; and

(c) the amount of foreign exchange saved by the reduced import of tractors?

The Minister of Commerce (Shri Kanungo): (a) to (c). A statement is laid on the Table of the Lok Sabha. [See Appendix VIII, annexure No. 53].

Export of Indian Cotton Textiles to U.K.

{ Shri Rameshwar Tanti:
Shri Bhogji Bhal:
*1924. { Shri Harish Chandra Mathur:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that the British Textile Association has requested India to restrict exports of Indian textile goods to U.K.;

(b) if so, what is the reason for this request; and

(c) what steps have been taken to safeguard the interest of the Indian textile industry in its export to U.K.?

The Minister of Commerce (Shri Kanungo): (a) and (b). No approach has been made by the British Textile Association to the Government of India. However, the Textile Industry in U.K. have expressed concern regarding increased exports of Indian Textiles to the United Kingdom.

(c) The Textile Industry in the U.K. have approached their counterpart in India, and negotiations are going on.

POSTPONED QUESTION

(Postponed from the 16th April, 1953)

Education in Naga Units

*1685. Shrimati Masida Ahmed: Will the Prime Minister be pleased to state:

(a) whether it is a fact that education in the newly-created Centrally administered Naga Unit in Assam is going to be made free;

(b) if so, upto what stage; and

(c) from which date the scheme is likely to be introduced?

The Parliamentary Secretary to the Minister of External Affairs (Shri J. N. Hazarika): (a) to (c). The local authorities in Naga Hills-Tuensang Area are examining the question but have not yet sent up any scheme to Government for approval.

बाणिज्य तथा उद्योग मंत्रालय की रिपोर्ट

२६२१ श्री म० सा० द्विवेदी : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि बाणिज्य तथा उद्योग मंत्रालय की सम्पूर्ण बाणिज्य रिपोर्ट हिन्दी में क्यों नहीं प्रकाशित की जाती है जब कि अन्य मंत्रालय उसे प्रकाशित करते हैं ?

बाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : बाणिज्य तथा उद्योग मंत्रालय की बाणिज्य प्रशासन-

रिपोर्ट का हिन्दी संस्करण १९५६ तक अलग से प्रकाशित नहीं किया जाता था। मंत्रालय की हिन्दी मासिक पत्रिका—'उद्योग-व्यापार पत्रिका'—का एक विशेषांक जुलाई १९५७ में प्रकाशित हुआ था और जो संसद् के सदस्यों में भी बांटा गया था, उसमें मंत्रालय की १९५६-५७ की वार्षिक प्रशासन-रिपोर्ट में दी गई जानकारी का पर्याप्त भाग दिया गया था। १९५७-५८ से मंत्रालय रिपोर्ट का हिन्दी संस्करण अलग से प्रकाशित किया करेगा।

उद्योगों का विकास

२६२२ श्री म० सा० द्विवेदी : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) किन-किन उद्योगों के विकास के लिये कोलम्बो योजना के अन्तर्गत वित्तीय सहायता प्राप्त की जा रही है ; और

(ख) भारत सरकार द्वारा इस सम्बन्ध में उपरोक्त सहायता में से कितनी राशि प्रयोग में लाई गई है ?

बाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : (क) कोलम्बो योजना के अधीन, उद्योगों के विकास के लिए निम्न रूपों में सहायता प्राप्त की गई है :—

(१) विदेशी विशेषज्ञों का प्रबंध करके टेक्नीकल सहायता।

(२) भारतीयों को विदेशों में ट्रेनिंग दिलाने की सुविधाएं देकर टेक्नीकल सहायता।

(३) माल के रूप में सहायता।

भाग (१) और (२) के अन्तर्गत प्राप्ति सहायता का विवरण वित्त मंत्रालय द्वारा प्रकाशित "वैदेशिक सहायता" नामक क्रोशर के पृष्ठ २२ पैरा ३ में दिया गया है। इसकी प्रतियां संसद् की लाइब्रेरी में रख दी गयी हैं।

कोलम्बो योजना के अन्तर्गत १९५६ में ब्रिटेन से एक भारी इंजीनियरिंग मिशन, भारत में भारी मशीनें बनाने की संभावनाएं देने के लिये, भारत आया था।

भाग (३) के बारे में स्थिति यह है कि कनाडा ने भारत को, अल्यूमीनियम कोर्ड स्टील रीइन्फोर्स, पूर्णतः अलूमिनियम के और पूर्णतः तांबे के कंडक्टर और केवल बनाने के लिये तांबा और अल्यूमीनियम; और साइकिलें बनाने में प्रयोग करने के लिये निकाल दिया है। इस सारी सहायता का मूल्य ५.७५ करोड़ ६० के आस पास है।

(ख) इन पदार्थों में से कितना आयात हो चुका है, इसकी जानकारी तत्काल उपलब्ध नहीं है क्योंकि आयात गैर सरकारी जरूरियों से होता है। ब्योरेबार जानकारी इकट्ठी की जा रही है और आ जाने पर सभा की मेज पर रख दी जाएगी।

रेशम उद्योग

२६२३. श्री म० ला० द्विवेदी : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) रेशम उद्योग में काम में आने वाले बढ़िया किस्म के कास्टिक सोड़े का उत्पादन करने के लिये क्या योजनाएँ हैं;

(ख) इस समय इस किस्म का कितना कास्टिक सोड़ा प्रयुक्त होता है ;

(ग) यह कास्टिक सोड़ा किन देशों से कितना कितना मंगाया जाता है ; और

(घ) इसके लिये कितनी विदेशी मुद्रा दी जाती है ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : (क) अभी एक ही

फर्म उत्पादन कर रही है हालांकि ६ अन्य योजनाओं के लिए लाइसेंस दिये जा चुके हैं। एक विवरण जिस में इसके कारखानों के नाम दिये गये हैं लोक सभा पटल पर रख दिया गया है [लिखित पं. २६२४, अनुसूची संख्या ५४]

(ख) सालू वर्ष में खपत २३,००० टन से बढ़कर ३०,००० टन हो जाने की संभावना है।

(ग) और (घ) : रेयन उद्योग में काम आने वाले कास्टिक सोड़े के आयात सम्बन्धी आंकड़े आयात व्यापार के आंकड़ों में अलग से नहीं दिखाये जाते। लेकिन अनुमान है कि इस किस्म का २०,००० टन कास्टिक सोड़ा जिसका मूल्य १२० लाख ६० है, प्रति वर्ष आयात किया जाता है और आम तौर पर ब्रिटेन तथा सं० रा० अमेरिका से आता है।

सूती वस्त्रों की मिने

२६२४. श्री म० ला० द्विवेदी : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) क्या सरकार वर्तमान करधों और तक़्क़ुओं में ही अधिक कपड़े के उत्पादन के लिये कपड़ा मिलों को प्रोत्साहित कर रही है ; और

(ख) यदि हाँ, तो इसका क्या परिणाम हुआ है ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : (क) जी, हाँ।

(ख) १९५७ में सूती कपड़ा बनाने वाले मिलों ने ५३१.७ करोड़ गज कपड़ा तैयार किया जबकि १९५६ में ५३०.६ करोड़ गज और १९५५ में ५०८.४ करोड़ गज कपड़ा तैयार किया था।

सरकारी मुद्रणालय

२६२५. श्री ज० ला० विवेक : क्या निर्वास, आवास और संभरण मंत्री यह बताने का कृपा करेंगे कि भारत सरकार के कितने मुद्रणालय में हिन्दी की छपाई का प्रबन्ध है ?

निर्वास, आवास तथा संभरण मंत्री (श्री क० चं० रेड्डी) : भारत सरकार के निम्न-लिखित छः छापाखानों में हिन्दी की छपाई का प्रबन्ध है :—

- (१) गवर्नमेंट आफ इण्डिया प्रेस, नई दिल्ली ।
- (२) प्रेसीडेंट प्रेस, नई दिल्ली ।
- (३) यूनाइटेड प्रेस, दिल्ली ।
- (४) गवर्नमेंट आफ इण्डिया प्रेस, नीलोखेरी ।
- (५) गवर्नमेंट आफ इण्डिया प्रेस, करीदाबाद ।
- (६) गवर्नमेंट आफ इण्डिया प्रेस, नासिक ।

अखिल भारतीय खादी तथा ग्रामोद्योग आयोग

२६२६. श्री ज० ला० विवेक : क्या आखिल्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) अखिल भारतीय खादी तथा ग्रामोद्योग आयोग के तन्वावधान में दिया-सलाहियों के कितने कारखाने स्थापित किये गये हैं ;

(ख) क्या सरकार ने इन कारखानों के खोलने तथा चलाने के लिये कोई वित्तीय सहायता दी है ; और

(ग) यदि हां, तो कितनी ?

आखिल्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : (क) खादी तथा ग्रामोद्योग कमीशन ने विभिन्न राज्यों को दियासलाहियों के ४६१ कारखाने खोला किये हैं । इनमें से

७८ कारखानों में उत्पादन शुरू हो गया है और १६५७-५८ में ६० तोलियों वाली १०५६० घुस बक्स दियासलाहियां बनीं ।

(ख) और (ग) जी, हां । खादी तथा ग्रामोद्योग कमीशन के कार्यक्रम में सम्मिलित, दियासलाह के हर कारखाने को केन्द्रीय सरकार वित्तीय सहायता देती है जो ५,४०० रु० ऋण के रूप में और ३,६०० रु० अनुदान के रूप में होती है ।

Houses for Displaced Government Servants

2927. Shri A. K. Gopalan: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the terms and conditions under which the houses under the control of Estate Officer are allotted to displaced Government servants in Delhi; and

(b) the number of such houses occupied by displaced Government servants?

The Minister for Works, Housing and Supply (Shri K. C. Reddy): (a) Allotments to displaced Government servants are made on the same terms and conditions as to other Government servants, namely, according to the provisions of the Allotment Rules.

(b) No separate statistics are maintained.

Production of Copper

2928. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state the total production of copper in the country during 1957-58?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): The total production of copper in India during 1957-58 was 7734 tons.

Rehabilitation of Displaced Persons in Tripura

2929. Shri Dasaratha Deb: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) what is the number of displaced persons from East Pakistan who are

waiting for rehabilitation for the last two years and more in Tripura; and

(b) what steps are being taken to expedite their rehabilitation?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) The information is not readily available and the time and labour involved in collecting it will not be commensurate with the results likely to be achieved. There are, however, no applications for rehabilitation loans pending over a period of two years.

(b) Steps have been taken to ensure that applications for loan are disposed of expeditiously.

Residential Accommodation in Delhi

2930. Shri Chuni Lal: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the basis on which residential accommodation is provided to Government servants in Delhi (category-wise);

(b) the type of accommodation category-wise;

(c) the number of official (category-wise) to whom accommodation has been allotted out of turn in 1956-57 and 1957-58; and

(d) the reasons for out of turn allotments?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) The Allotment Rules prescribe that allotments should be made in the particular class or classes of accommodation to which a Government servant is entitled according to his date of priority calculated on the basis of his qualifying service.

(b) and (c). A statement is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 55].

(d) Out of turn allotments are made in exceptional cases of proved hardship where, in the opinion of the

Government, early relief is essential. The grounds on which out of turn allotments are sanctioned, as a rule are (a) abrupt termination of tenancy, (b) sickness in the family, (c) inability to make private arrangements on being transferred to Delhi and (d) necessities of official work. Out of turn allotments are made only in one or two classes below the regular class or classes to which a Government servant is entitled to.

Import Licences

2931. Shri V. C. Shukla: Will the Minister of Commerce and Industry be pleased to state:

(a) the total number of unutilized outstanding import licences up-to-date;

(b) what is the total number of partially utilized import licences;

(c) what is the total value for which completely unutilized import licences are outstanding; and

(d) what is the total value for which partially utilized import licences are outstanding?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) to (d). A statement is laid on the Table of Lok Sabha. [See Appendix VIII, annexure No. 56].

Government Advertisements

2932. Shri Panigrahi: Will the Minister of Information and Broadcasting be pleased to state the amount of money paid by Central Government to Samaj, Prajatantra, Matribhumi and the Eastern Times, as advertisement charges from 1953-54 to 1957-58, year-wise?

The Minister of Information and Broadcasting (Dr. Keskar): Advertisements are given to the newspapers and periodicals according to the requirements of each release. It is not desirable in public interest to disclose the amounts paid as advertise-

ment charges to particular newspapers or periodicals.

Tea Gardens

2933. Shri Bhagavati: Will the Minister of Commerce and Industry be pleased to state:

(a) whether the Tea Board has been asked to undertake a study of economically weak gardens through a suitable agency, as was announced by Government by accepting certain recommendations of the Plantation Inquiry Commission on the tea industry;

(b) if so, the number of gardens making request for such study (State-wise);

(c) the result of the study;

(d) whether the Tea Board has undertaken the study of the circumstances in which Indian-owned companies have been wound up from time to time; and

(e) if so, what is the result of such study (State-wise)?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Yes, Sir.

(b) None, so far.

(c) Does not arise.

(d) and (e). The Tea Board has undertaken but not yet completed its study of cases of Indian owned companies which have been wound up.

Village Housing Projects in Andhra Pradesh

2936. Shri M. V. Krishna Rao: Will the Minister of Works, Housing and Supply be pleased to state the number of the village housing projects allotted to the Andhra Pradesh for 1958-59?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): 135 villages (including 45 allotted for the year 1957-58) are proposed to be allocated to Andhra Pradesh for the year 1958-59.

Central Training Institute of Instructors, Koni

**2935. { Shri S. C. Samanta:
Shri Bhakti Darshan:
Shri Subodh Hansda:**

Will the Minister of Labour and Employment be pleased to state:

(a) how far the capacity of the Central Training Institute of Instructors at Koni-Bilaspur has been increased up-to-date; and

(b) whether the increased number of Instructors to be trained for the Second Five Year Plan can be accommodated there?

The Deputy Minister of Labour (Shri Abid Ali): (a) There has been no increase so far.

(b) No. A Second Central Training Institute with a capacity to train 144 Instructors has already been opened at Aundh with effect from 1-11-57. It will ultimately be shifted to Bombay when the building is constructed and the capacity raised to 212.

Indian Delegations to U.N. General Assembly

2936. Shri Shree Narayan Das: Will the Prime Minister be pleased to lay a statement on the Table giving a brief resume of the work done and activities of the Indian delegations in the U.N. last General Assembly and its various Committees including important resolutions sponsored by such delegations?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): A report is under preparation. It will be laid on the Table of the House as soon as it is ready.

Export of Silk and Rayon Goods

2937. Shri Rameshwar Tantia: Will the Minister of Commerce and Industry be pleased to state:

(a) which are the main countries from which we are facing competition

in the rayon and silk piece goods exports; and

(b) whether there was increase or decrease in the export or import of silk and rayon piece goods in 1957?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Silk: Japan and France.

Rayon: Japan, Italy, West Germany, U.K. and the U.S.A.

(b) Silk: There was considerable increase in both Imports and Exports.

Rayon: There was an appreciable decrease in imports while there was a slight increase in the exports.

बड़ाहोती

२६१६. { श्री भक्त वरुण :
श्री डामर :
श्री भोखी भाई :
श्री रामेश्वर ट. टिया :

क्या प्रधान मंत्री ५ सितम्बर, १९५७ के अतारंकित प्रश्न सख्या १२८४ के उत्तर के सम्बन्ध में यह बताने की कृपा करेंगे कि उत्तर प्रदेश में गढ़वाल जिले के तिव्वती सीमान्त पर स्थित 'बड़ाहोती' प्लेटो के प्रश्न

पर चीन सरकार से जो बातचीत चल रही थी, उस सम्बन्ध में इस बीच क्या प्रगति हुई है ?

प्रधान मंत्री तथा वंदेशिक कार्य मंत्री (श्री जवाहरलाल नेहरू) : इस मामले पर विचार हो रहा है। इस स्थिति में कोई निश्चित बयान देना संभव नहीं है।

Indian Embassies Abroad

2939. Shri D. C. Sharma: Will the Prime Minister be pleased to state:

(a) the expenditure incurred on the Indian Embassy Offices in France, Germany, Canada and U.S.A. during 1957-58;

(b) whether there has been any increase in the expenditure of that year as compared to the previous years; and

(c) if so, the reasons therefor?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). The final figures of expenditure incurred during 1957-58 are not known as the expenditure statements for the month of March, 1958 have not yet been received. Comparative position of the actuals for 1956-57 and the final grant sanctioned for 1957-58 in respect of grants controlled by the Ministry of External Affairs is as follows:—

	Actuals 1956-57 Rs.	Final grant 1957-58 Rs.	(—) Savings (+) Excess Rs.
FRANCE	11,81,309	11,36,500	(—) 44,809
GERMANY			
BONN	9,05,024	11,00,200	(+) 1,95,176
BERLIN	1,41,587	15,700	(+) 16,113
CANADA	7,96,598	7,55,000	(—) 41,598
U.S.A.			
WASHINGTON	28,80,536	30,60,300	(+) 1,79,464
Permanent Mission, NEW YORK	12,72,762	16,44,900	(+) 4,17,138
Consulate General, NEW YORK	10,53,084	12,01,800	(+) 1,48,716
Consulate General, SAN FRANCISCO	5,34,965	5,82,00	(-) 47,035

(c) The reasons for increase in expenditure in Germany and U.S.A. are:—

(i) GERMANY

Additional expenditure of Rs. 1,45,200 was incurred in Bonn on the creation of a new post of Minister and local posts of Personal Assistant, Social Secretary, Receptionist Translator etc. Renovation of the Chancery and increased expenditure on 'P & T Charges' and bulletins also account for Rs. 50,000.

The increase at Berlin is due to change of incumbent (Present Consul drawing higher salary) and revision in rates of pay of locally recruited staff.

(ii) U.S.A.

Additional expenditure (Rs. 19,000) at Washington is due to increments, revision of rates of Foreign Allowances and grant of Children's Education Allowances (Rs. 65,000) and introduction of bag services to Mexico and San Francisco (Rs. 50,500). An excess of Rs. 45,000 is also due to change in the system of reception of morse transmissions resulting in a corresponding economy under Canada.

The increase in expenditure on the Indian Permanent Mission at New York is due to creation of additional posts of Counsellor, Press Attache, Assistant Research Officer and Stenographer (Rs. 29,200) and posting of India-based staff against some of the posts formerly held by local recruits. Corresponding increases have also resulted under 'House Rent Allowance', 'Furniture', 'P & T Charges', 'Telephones' etc.; (Rs. 1,28,000) whereas bulk of the excess is due to revision in the rates of Foreign Allowances (Rs. 2,60,000).

The increase in the expenditure on the Consulates General at San Francisco and New York is mainly due to increments (Rs. 33,500) revision in the rates of foreign allowances and grant of Children's Education Allowance. (Rs. 1,62,300).

State Trading Corporation of India (Private) Ltd.

2940. Shri V. C. Shukla: Will the Minister of Commerce and Industry be pleased to lay a statement on the Table showing:

(a) the names of the new markets developed by the State Trading Corporation of India (Private) Limited during its first year of working; and

(b) the commodities and the quantity thereof exported country-wise?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 57].

Export of Sandalwood Oil

2941. Shri V. C. Shukla: Will the Minister of Commerce and Industry be pleased to state:

(a) the quantity of Sandalwood Oil exported by the Sandalwood Oil Factory, Mysore, to the Union of Soviet Socialist Republic from 1950 to 1956, i.e., till the formation of the State Trading Corporation of India (Private) Ltd.;

(b) what is the quantity of Sandalwood Oil exported by the Sandal Oil Factory, Mysore, after the formation of the State Trading Corporation of India (Private) Ltd. in May 1956;

(c) how much commission was demanded by the State Trading Corporation of India (Private) Ltd. from the Mysore Government for exporting Sandalwood Oil on its behalf;

(d) what were the other terms proposed by the State Trading Corporation of India (Private) Ltd., to the Mysore Government; and

(e) how much Sandalwood Oil was ultimately sold by the State Trading Corporation of India (Private) Ltd., on behalf of the Mysore Government?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):
(a) 4425 lbs.

(b) 1,51,150 lbs. up to January, 1958.

(c) and (d). The information asked for by the Hon'ble Member is of a confidential character and cannot be disclosed without prejudice to the business interest of the Corporation.

(e) 33,690 lbs. upto February, 1958.

Watches and Clocks

2942. { Shri D. C. Sharma:
 { Shri Ram Krishan:

Will the Minister of Commerce and Industry be pleased to state:

(a) the value of watches and clocks separately imported during 1957-58;

(b) how do these figures compare with those of 1956-57;

(c) the names of the countries which supplied the largest number of watches and clocks separately during 1957-58; and

(d) what steps have been taken to reduce their import?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) Imports during 1957-58 (April-October 1957 only):

Watches	..	Rs. 119.11 lakhs
Clocks and		
Time pieces	..	Rs. 49.48 lakhs

(b) Imports during 1956-57 (April-March):

Watches	..	Rs. 326.23 lakhs
Clocks and		
Time pieces	..	Rs. 90.16 lakhs

(c) Watches have been imported mainly from Switzerland, West Germany, Hong Kong, France, U.K., Italy, U.S.A. and Sweden while clocks and time pieces have mainly been

imported from Japan, West Germany, U.K., Italy, France, Switzerland and Austria.

(d) The import of clocks and watches has been banned from July, 1957.

Export of Pulses and Chillies

2943. **Shri D. C. Sharma:** Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have a proposal under their consideration to permit the export of pulses and chillies to Ceylon;

(b) if so, quota of each commodity permitted to be exported; and

(c) the amount of foreign exchange earned in this way?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) No, Sir.

(b) 10,000 tons of pulses were allowed export in two instalments in 1957. Similarly a quota of 3,500 tons of chillies was released for Ceylon in 1957.

(c) During January-November, 1957 for which figures are available, the value of exports of pulses to Ceylon amounted to Rs. 26.5 lakhs and of chillies to Rs. 43 lakhs.

Commission on Information Rights

2944. **Shri D. C. Sharma:** Will the Prime Minister be pleased to state:

(a) whether the Indian delegation to the United Nations recently presented a paper to the Commission on Information Rights of the U.N. on ways to promote free circulation of news and development of information media;

(b) if so, the main recommendations of the delegation; and

(c) the decision taken by the Commission on Information Rights of the United Nations?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Yes. A paper containing the suggestions of the Indian Delegation is placed on the Table of the Lok Sabha. [See Appendix VIII, annexure No. 58].

(c) The views of the Indian Delegation were included in the report of the Committee on Freedom of Information. The specialized agencies have been asked to consider and implement the suggestions concerning under-developed countries. The report is also being circulated to the Members of U.N. and to other organisations for their observation.

Tripartite Industrial Committee on Plantations

2945. Shri Ram Krishan: Will the Minister of Labour and Employment be pleased to state:

(a) the nature of the decisions taken and recommendations made at the meeting of the Tripartite Industrial Committee on Plantations held at Shillong on the 21st and 22nd January, 1958; and

(b) the action taken by Government to implement these decisions and recommendations?

The Deputy Minister of Labour (Shri Abid Ali): (a) and (b). A statement is laid on the Table of Lok Sabha. [See Appendix VIII, annexure No. 59.]

Chemical Diamonds

2946. Shri Balakrishnan: Will the Minister of Commerce and Industry be pleased to state:

(a) the value of chemical diamonds which were imported during the year 1956-57;

(b) the value of chemical diamonds which were produced by the indigenous industry during the period;

(c) the quantity which is required annually; and

(d) the steps which have been taken to increase their production?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) Separate information of imports of chemical diamonds is not available.

(b) to (d). Chemical diamonds are not produced in the country, however, synthetic stones are manufactured by a firm in Mettupalayam (Madras State) from October, 1957, at a rate of 40 Kilos per day, which will meet our annual requirements to the extent of 60 per cent. to 70 per cent.

Multi-Storeyed Buildings in Chembur Colony

2947. Shri Assar: Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) whether it is a fact that some fatal accidents have occurred in Chembur colony for displaced persons due to the falling of children from the low parapet wall of multi-storeyed buildings;

(b) if so, how many such accidents have come to the notice of Government; and

(c) the action Government propose to take in the matter?

The Deputy Minister of Rehabilitation (Shri P. S. Naskar): (a) and (b). One fatal accident is reported to have taken place.

(c) The roof of these buildings were never meant to be used by the inmates. In order to ensure that such accidents do not recur instructions have been issued to the Officer-in-Charge of the Colony to keep properly locked the doors leading to the roofs and not to allow the use of the same to unauthorised persons.

Electric Motors and Starters

2948. Shri Subblah Ambalam: Will the Minister of Commerce and Industry be pleased to state:

(a) what percentage of our requirements of electric motors and starters

for agricultural purposes are manufactured in India;

(b) what is the policy of Government in granting licences for the import of these items and the amount of foreign exchange involved in it; and

(c) whether there is any proposal to import such items of our requirements through the State Trading Corporation and distribute the same to agriculturists directly through the State Directors of Agriculture?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):
(a) No separate statistics are available in regard to the requirements of electric motors and starters for agricultural purposes. But the major portion of its demand is met from indigenous production and imports have not been large in relation to the production in the country.

(b) No policy for the import of these items for agricultural purposes as such has been laid down. The general import policy in regard to motors and starters is laid down in pages 81—84 and 105 of the Import Trade Control book for the current licensing period April-September, 1958. The amount of foreign exchange will depend on the imports made during the period.

(c) No, Sir.

Slum Clearance in Madras

2949. Shri Tangamani: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of schemes sanctioned by the Centre which have been completed in the Madras State for slum clearance;

(b) what are the schemes sanctioned for the year 1958-59 for the same State;

(c) whether these schemes include Municipal Towns other than the Madras City; and

(d) if so, the names of such towns and the nature of the scheme?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) None of the thirteen Slum Clearance projects sanctioned in Madras State has been completed so far.

(b) No scheme has so far been sanctioned in the current financial year. The State Government however expect to complete during 1958-59, the following ten slum clearance projects sanctioned earlier:—

Meenambal Sivarajnagai, Vazhaipucheri; Karimeducherri; Pavement-dwellers; Kalayanapuram; Malligaippucheri; Namasivayapuram; Nochikuppam; Mallikuppam and Gajapathy Lala.

(c) and (d). The Government have formulated projects for Madras City only.

Documentaries by Private Producers

**2950. { Shri Tangamani:
Shrimati Ila Palchoudhuri:**

Will the Minister of Information and Broadcasting be pleased to state:

(a) whether private film producers are encouraged to produce documentary films;

(b) if so, the nature of encouragement given to them; and

(c) the number and names of documentaries produced by the private producers during the years 1955-56, 1956-57 and 1957-58?

The Minister of Information and Broadcasting (Dr. Keskar): (a) to (c). A statement is placed on the Table of the Lok Sabha, showing the documentary films produced for the Films Division by private producers. [See Appendix VIII, annexure No. 60.] The Films Division maintains a panel of approved producers and enters into contract with them for films which

they are thought capable of producing. Special documentary films like Gotama the Buddha have been produced by selected producers. Apart from this, it is open to the producers of private documentaries to enter their films for the President's Awards or the film festivals in foreign countries. Films are also purchased occasionally for special requirements or if of special merit.

Buddhist Encyclopaedia

2951. Shri Kumaran: Will the Prime Minister be pleased to state:

(a) whether the Government of India is aware that the Government of Ceylon is engaged in the production of a Buddhist Encyclopaedia; and

(b) whether the Government of India is in any way collaborating with the Ceylon Government in this regard?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes. The project of compiling an Encyclopaedia of Buddhism in the English language was initiated by the Government of Ceylon during the Buddha Jayanti year. The undertaking is in the hands of the Department of Cultural Affairs of that Government.

(b) No, Sir. Some Indian Scholars and Buddhists are, however, associated in this work in their personal capacities.

Small Scale Industries in Punjab

2952. Shri Daljit Singh: Will the Minister of Commerce and Industry be pleased to state:

(a) the names of small scale industries in Punjab which have been benefited by the financial assistance of the Government of India so far;

(b) whether Government have recently approved some more schemes for the development of small scale industries in Punjab; and

(c) if so, the details thereof?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) to (c). A statement is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 61.]

Baby Food

2953. Shri Ghosal: Will the Minister of Commerce and Industry be pleased to state:

(a) whether Government have approved any scheme for preparing baby-food from buffalo-milk; and

(b) if so, the name of the company which will manufacture it?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) and (b). Government have so far received two such schemes from:

(i) M/s. Glaxo Laboratories Bombay, and

(ii) M/s. Horlicks, Calcutta.

Both are under consideration.

Messrs. Nestle Products Ltd., and M/s. Carr & Co., (manufacturers of infant milk foods under the brand "Cow & Gate") have also shown interest in developing the manufacture of their products in India but no concrete schemes have so far been received from them.

Handloom Industry in Bombay State

2954. Shri Pangarkar: Will the Minister of Commerce and Industry be pleased to state the amount allotted or proposed to be allotted to the Bombay State for the development of Handloom Industry during 1958-59?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): It is proposed to allot Rs. 40,00,000.

Naga Hills

2955. Shri Hem Barua: Will the Prime Minister be pleased to state the steps so far taken to rehabilitate the Nagas dispossessed of their habi-

tation due to the activities of the hostiles as also the steps taken for de-grouping of the villages?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): The Administration has taken the following steps to rehabilitate the Nagas and to restore normalcy in the area:—

- (i) speeding up development work such as construction of roads, bridges, and houses,
- (ii) giving contracts for construction of works to groups of villagers directly,
- (iii) opening of schools and hospitals and introduction of mobile dispensaries,
- (iv) providing facilities for training in handicrafts and technical subjects etc.
- (v) speeding up reconstruction of villages, and providing help to villagers for cultivation,
- (vi) grant of stipends to students whose studies had been disrupted during disturbances,
- (vii) grant of loans for building houses and starting business, and
- (viii) providing jobs in connection with development work.

2. As the grouping of villages had been done in the special circumstances, the de-grouping also can be done only when these circumstances have been removed i.e. normal peaceful conditions have been restored. In some areas villages already grouped had been given permission to go out of the group centres for harvesting their crops on the condition that they would return to their centres thereafter. Some villagers who have availed of this permission have returned to their former villages on their own after harvesting the crops. This is being permitted subject to the

condition that the villagers bring back their friends and relatives from the jungle with arms for proper rehabilitation.

Gorakhpur Labour Organisation

2956. Shri Kalika Singh: Will the Minister of Labour and Employment be pleased to state:

(a) the number of persons, district-wise, recruited through the Gorakhpur Labour Organisation and employed in different States upto November, 1957;

(b) whether Government are aware of the great hardships that the dependents of the labourers have to undergo in their absence;

(c) if so, whether Government have any proposal to provide for migration and maintenance of such dependents;

(d) whether it is a fact that 63 labourers recruited through the Gorakhpur Labour Organisation were killed in recent colliery disaster; and

(e) if so, whether any compensation has been paid to their dependents?

The Deputy Minister of Labour (Shri Abid Ali): (a) A statement showing the available information is given below. District-wise figures of recruitment are not available.

1. Coalfields	in Bengal	4715
2. "	" Bihar	2328
3. "	" Madhya Pradesh	3998
4. "	" Bombay	82
5. "	" Andhra Pradesh	1022
6. Iron ore Mines and Lime Stone Quarry in Orissa		1297
Total		13442

(b) and (c). The labourers recruited through the Organisation are free to take their families along with them. Facilities also exist for monthly remittances being made by the labourers to the dependents from their earnings.

(d) and (e). Yes.

False Registration Certificates

2957. { Shri B. C. Mullick:
Shri Surendranath Dwivedy:

Will the Minister of Rehabilitation and Minority Affairs be pleased to state:

(a) the number of false registration certificates issued up-to-date to displaced persons from East and West Pakistan;

(b) whether any officers have been prosecuted for issuing these certificates; and

(c) the number of cases which are still pending?

The Deputy Minister of Rehabilitation and Minority Affairs (Shri P. S. Naskar): (a) to (c). Registration of displaced persons from West Pakistan was done in the early stages of migration. In the Eastern region with the introduction of the system of passports 5/6 years ago, the system of registration was stopped. The number of displaced persons who have come from Pakistan is about 9 millions. It is not possible to supply the necessary information without making a detailed enquiry from each State Government extending over a number of years. The time and labour involved is not considered commensurate with the results likely to be achieved.

Indian Textile Delegation to Japan

2958. { Shri Subodh Hansda:
Shri S. C. Samanta:
Shri Rameshwar Tanti:

Will the Minister of Commerce and Industry be pleased to state:

(a) whether it is a fact that a Textile Delegation is being sent to Japan;

(b) if so, when this delegation will leave for Japan; and

(c) what will be its composition?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) Yes, Sir. The Delegation has been sponsored by the United State Department of Agriculture.

(b) The Delegation left for Japan on 20th April, 1958.

(c) The names of the Members of the Delegation are as follows:—

1. Shri Babulal Bubna of the Bombay Mill-owners' Association—Non-official.
2. Shri K. Sundaram of the Coimbatore Mill-owners' Association—Non-official.
3. Shri Navnit Lal Shodhan of the Ahmedabad Mill-owners' Association—Non-official.
4. Shri Nagerseth, Secretary of the Cotton Textile Export Promotion Council—Non-official.
5. Shri I. B. Dutt, Director (Production) Textile Commissioner's Office—Official.
6. Shri R. D. Shah, Director (Cotton), Textile Commissioner's Office—Official.

Import of Security Paper

2959. Shri Achar: Will the Minister of Commerce and Industry be pleased to state the value of currency and other security papers annually imported into India?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): Import statistics of currency and security paper are not available as the two items are not specifically classified in the Indian Trade Classification. The value of currency paper imported by the Security Printing Press, Nasik Road, during the year 1957-58 amounted to Rs. 127 lakhs. Other security paper imported by the same press during 1957-58 was of the value of 220 lakhs. Besides this, the value of (i) Bond

Paper and bank paper and (ii) cheque paper imported into India during January-November 1957 was Rs. 47.37 lakhs and Rs. 8.63 lakhs respectively.

Industrial Estate at Mangalore (Mysore)

2960. Shri Achar: Will the Minister of Commerce and Industry be pleased to state:

(a) whether there is any proposal to start an industrial estate near about Mangalore in South Canara District of Mysore State;

(b) if so, whether the site has been selected and when it would be started; and

(c) what is the amount that is allotted for this estate and what are the industries to be taken up?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):
(a) Yes, Sir.

(b) Proceedings for acquisition of land for this estate are in progress.

(c) Rs. 5.00 lakhs have been allotted for the construction of this estate. The industries to be set up in the estate will depend on the demand for factory space in that area.

Bhoomidari Rights in Delhi

2961. Shri Ramji Verma: Will the Minister of Planning be pleased to state:

(a) how many persons are likely to acquire Bhoomidari rights in Delhi, after the implementation of the Delhi Land Reforms Act; and

(b) the total area so acquired?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) About 76,600.

(b) About 2,28,700 acres.

Consolidation of Holdings in Delhi

2962. Shri Ramji Verma: Will the Minister of Planning be pleased to refer to the reply given to Unstarred Question No. 1135 on the 3rd September, 1957 and state

(a) the number of villages in Delhi Territory in which the work of consolidation of holdings has so far been completed;

(b) the number of holdings and the area covered by the consolidation work; and

(c) when is the entire consolidation work likely to be over?

The Deputy Minister of Planning (Shri S. N. Mishra): (a) There are 359 villages in the Union territory of Delhi. One village has been amalgamated with the adjacent village, reducing the total to 358. The work relating to consolidation is complete in 210 villages. In 76 villages consolidation work has not been done because they form urban, hilly and riverine tracts. The work in the remaining 72 villages will be taken up after the implementation of the Delhi Land Reforms Act which is expected to be completed by August, 1958.

(b) The number of holdings and the area covered by the consolidation so far are 18,228 and 201,834 acres respectively.

(c) It is expected that the entire consolidation work will be over by the close of the Second Five Year Plan i.e., by 1960-61.

Information Bulletins

2963. Shri Ajit Singh Sarhadi: Will the Prime Minister be pleased to state:

(a) the names of the Indian Embassies in foreign countries that issue information bulletins for educating the public opinion about Indian Affairs in the language of the countries concerned; and

(b) the total expenditure on it?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). Twenty-three Indian Missions issue regular printed bulletins at an approximate total expenditure of Rs. 6,88,000 per annum. The names of these Missions along with other details are furnished in the statement laid on the Table of Lok Sabha. [See Appendix VIII, annexure No. 62.]

2. In addition to the issue of printed bulletins, 29 Indian Missions issue cyclostyled bulletins; the names of those Missions and other details are mentioned in the aforesaid statement. The expenditure on these cyclostyled bulletins is met by different Missions and its collection will not be commensurate with the time and labour involved on it.

भागलपुरी टसर का कपड़ा

२६६४. श्री ब० प्र० सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) भागलपुरी टसर के कपड़े की किन-किन देशों में मांग है; और

(ख) इससे लिये नये व्यापारियों को सरकार द्वारा क्या प्रोत्साहन दिया जाता है ?

वाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : (क) यह जानकारी उपलब्ध नहीं है क्योंकि भागलपुरी टसर के कपड़े के निर्यात सम्बन्धी आंकड़े सरकारी आंकड़ों में अलग में दर्ज नहीं किये जाते। लेकिन यह पता चला है कि स० रा० अमेरिका में टसर के कपड़े की मांग है।

(ख) टसर के कपड़े का निर्यात खुले सामान्य लाइसेंस के अधीन होता है, और कोई भी इसका बेरोक टोक निर्यात कर सकता है। हाल ही में एक विशेष अधि-कारी नियुक्त किया गया है जिसका काम

टसर रेशम के निर्यातकों को यह प्रमाण पत्र दिलाने में मदद करना है कि यह माल कहां से चला है। इस तरह से प्रमाण पत्र स० रा० अमेरिका को निर्यात करने के लिये आवश्यक होत है। इस सिलसिले में प्रकाशित किये गये प्रेस नोट को एक प्रति लोक सभा पटल पर रख दी गई है। [बेसिये परिशिष्ट C अनुबन्ध संख्या ६३]

भागलपुर बेरल का पत्थर

२६६५. श्री ब० प्र० सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) किन-किन देशों में भागलपुरी बेरल के पत्थर की मांग है; और

(ख) इस कार्य के लिये नये व्यापारियों को सरकार द्वारा क्या प्रोत्साहन दिया जाता है ?

वाणिज्य तथा उद्योग मंत्री श्री लाल बहादुर शास्त्री : (क) और (ख) : बेरल के पत्थर के निर्यात सम्बन्धी आंकड़े डायरेक्टर जनरल आक स्टैटिस्टिक अलग में नहीं रखते और इसलिये यह कह सकना संभव नहीं कि इसका किन किन देशों को कितना कितना निर्यात होता है। इस पत्थर का व्यापार करने वालों का सरकार ने कोई खास बढ़ावा नहीं दिया है क्योंकि इस तरह की कोई प्रार्थना अभी तक नहीं की गयी है।

भागलपुरी कच्चा लोहा

२६६६. श्री ब० प्र० सिंह : क्या वाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि :

(क) भागलपुरी कच्चे लोहे की किन-किन देशों में मांग है; और

(ख) इससे लिये नये व्यापारियों को सरकार द्वारा क्या प्रोत्साहन दिया जाता है ?

कानिच तथा उद्योग मंत्री (जी लाल बहादुर शास्त्री) : (क) भागलपुरी सोह खनिज नाम का कोई भी खनिज पदार्थ नहीं है।

(ख) प्रश्न ही नहीं उठता।

Hindustan Housing Factory

2967. Shri Yajnik: Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether it is a fact that the foam concrete units produced by the Hindustan Housing Factory can be used as insulating material such as thermo-coles cork and such other materials;

(b) the total quantity of such insulating material imported into the country in the last 5 years and the value thereof;

(c) the total number of foam concrete units produced by the Hindustan Housing Factory during the last 5 years and the value thereof; and

(d) the additional number of units of foam concrete that can be produced by the Factory within its installed capacity and the total estimated value thereof?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) The information is being collected and will be laid on the Table of the House in due course.

(c) The factory has produced insulation blocks to the extent of 2.5 lacs cft. valued at Rs. 7.5 lacs.

(d) Within the existing installed capacity the factory can produce 6 lacs cft of insulation blocks of an estimated value of Rs. 18 lacs per annum.

Rebate on Import of Raw Materials

2968. Shri Damani: Will the Minister of Commerce and Industry be pleased to state the names of industries that have benefited by the

incentive granted in the form of rebate on import of raw materials which are used for manufacturing items meant for export?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): A list of Industries that have benefited by the incentive granted in the form of rebate on import of Raw Materials which are used for manufacturing items meant for export is given below: —

1. Motor Vehicles.
2. Nitrous Oxide.
3. Glass and Glassware.
4. Jute Manufactures.
5. Art Silk.
6. Dry Radio Batteries.
7. Linoleum.
8. Plastics.
9. G.I. Wire.
10. Crown Cork.
11. Radio Receivers.
12. Electric Fans.
13. Hydraulic Brake Fluid.
14. Tele Communication Equipment.

Cloth Production

2969. Shri K. C. Jena: Will the Minister of Commerce and Industry be pleased to state:

(a) the total number of yards of dhotis, saris and shirting cloth produced State-wise and year-wise (upto the beginning of the current year) from the date of introduction of three annas rebate per rupee; and

(b) what have been the prices of these articles during the same period?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) The information is not available.

(b) A statement showing the prices is placed on the Table of Lok Sabha, [See Appendix VIII, annexure No. 64.]

Village Housing Scheme in U.P.

2970. { Shri S. M. Banerjee:
Shri Panigrahi:

Will the Minister of Works, Housing and Supply be pleased to state:

(a) whether the U.P. Government have approached the Central Government for financial aid under the Village Housing Projects Scheme in U.P. for 1958-59; and

(b) if so the amount allocated?

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): (a) Yes.

(b) Rs. 12.75 lakhs.

Bicycles

2971. Shri Wodeyar: Will the Minister of Commerce and Industry be pleased to state:

(a) the total production of the bicycle industry in the country at present;

(b) the production capacity of this industry in small scale and big scale sectors;

(c) what is the sanctioned allotment for the Mysore State; and

(d) how far the country has achieved self-sufficiency in this industry?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) 8,54,579 cycles in 1957.

(b) (i) Small Scale Sector: 247,000 cycles in 1957.

(ii) Large Scale Sector: 747,500 cycles in 1957.

(c) 20,000 cycles per annum in the Small Scale Sector. No regional allotment has been made in the Large Scale Sector.

(d) The country can be called self-sufficient in so far as the requirements of complete bicycles are concerned.

Export of Jute

2972. Shri Rajagopala Rao: Will the Minister of Commerce and Industry be pleased to refer to the reply given to Starred Question No. 1818 on the 11th April, 1958 and state:

(a) what are the main terms of reference of the study team;

(b) whether it will evaluate the surplus mesta available or find out the availability of the surplus mesta jute for export; and

(c) whether the team has included in its area of visit Srikakulam and Visakhapatnam Districts in Andhra Pradesh as the producers of that areas could not find market for their Bimiti Mesta?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri):

(a) The team will investigate into complaints about accumulation of stocks of low grade jute in Bihar. No detailed terms of reference have been drawn up.

(b) Yes, Sir.

(c) No, Sir.

N.E.F.A.

2973. Shri Hem Barua: Will the Prime Minister be pleased to state:

(a) whether provisions are made for the audio visual entertainment and education of the NEFA people by way of film-shows, radio-broadcasts etc.; and

(b) if so, the measure of success so far attained in this matter?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) Yes. Documentaries made by the Films Division of the Ministry of Information and Broadcasting on education and cultural matters are shown. Special films on the NEFA have also been made regarding tribal life and culture and the administration of the territory and these are exhibited in different regions of NEFA.

All India Radio has recorded special programmes which are broadcast from the Gauhati Station to this area. Over 200 community listening sets have been distributed in the divisions to enable the maximum number of people to listen to these broadcasts.

(b) The keen interests taken by the people of NEFA in these films and broadcasts indicates that a fair measure of success has been achieved in this regard.

जूतों का निर्यात

२६७४. श्री डालर : क्या बाणिज्य तथा उद्योग मंत्री यह बताने की कृपा करेंगे कि भारत में बने जूते किन-किन देशों को निर्यात किये जाते हैं ?

बाणिज्य तथा उद्योग मंत्री (श्री लाल बहादुर शास्त्री) : एक विवरण जिसमें उन देशों के नाम दिये गये हैं, जिनको जूतों का निर्यात किया जाता है, लोक-सभा पटल पर रख दिया गया है।

[बै.स. परिशिष्ट नं. अनुबन्ध संख्या ६५]

Indian Statistical Institute

2975. Shri Bimal Ghose: Will the Prime Minister be pleased to state:

(a) whether Government are contemplating to bring forward legislation to regulate the working of the Indian Statistical Institute; and

(b) if so, when?

The Prime Minister and Minister of External Affairs (Shri Jawaharlal Nehru): (a) and (b). No, there is no such present intention.

C.P.W.D.

2976. Shri Easwara Iyer: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of work-charged staff category-wise in Central Public

Works Department in Delhi on the 1st April, 1957;

(b) how many of them have completed three years of service in their present posts; and

(c) of the remaining, how many have completed three years of service in any lower post?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) A statement furnishing the required information is laid on the table of the Lok Sabha. [See Appendix VIII, annexure No. 66.]

(b) and (c). Full information is not readily available. It is being collected and will be placed on the Table of the Sabha in due course.

C.P.W.D.

2977. Shri Easwara Iyer: Will the Minister of Works, Housing and Supply be pleased to state:

(a) the number of accidents that took place in the Central Public Works Department in the years 1955-56, 1956-57 and 1957-58 in which the work-charged staff and workers on muster roll were involved;

(b) the number of such accidents which resulted in—

(i) death,

(ii) permanent total disablement,

(iii) temporary total disablement,

(iv) permanent partial disablement,

(v) temporary partial disablement;

(c) the amount paid as compensation;

(d) the number of cases in which compensation has not been paid so far; and

(e) the reasons therefor?

The Minister of Works, Housing and Supply (Shri K. C. Reddy): (a) to (e). The information is not readily

available. It is being collected and will be placed on the Table of the Sabha in due course.

Sports Goods

2978. **Shri Hem Raj:** Will the Minister of Commerce and Industry be pleased to state:

(a) the various kinds of sports goods produced in India during the years 1956 and 1957 State-wise; and

(b) the quantity and price of sports goods exported to the foreign countries during these years?

The Minister of Commerce and Industry (Shri Lal Bahadur Shastri): (a) and (b). A statement is placed on the Table of Lok Sabha. [See Appendix VIII, annexure No. 67.]

PAPER LAID ON THE TABLE

AMENDMENT TO COTTON TEXTILES (PRODUCTION BY HANDLOOM) CONTROL ORDER

The Minister of Commerce (Shri Kanungo): I beg to lay on the Table, under sub-section (3) of Section 6 of the Essential Commodities Act, 1955, a copy of Notification No. S.O. 487, dated the 12th April, 1958, making certain further amendment to the Cotton Textiles (Production by Handloom) Control Order, 1956. [Placed in Library. See No. LT-680/58].

MESSAGE FROM RAJYA SABHA

Secretary: Sir, I have to report the following message received from the Secretary of Rajya Sabha:—

"In accordance with the provisions of sub-rule (6) of rule 162 of the Rules of Procedure and Conduct of Business in the Rajya Sabha, I am directed to return herewith the Finance Bill, 1958, which was passed by the Lok Sabha at its sitting held on the 23rd April, 1958 and transmitted

to the Rajya Sabha for its recommendations and to state that this House has no recommendations to make to the Lok Sabha in regard to the said Bill."

ESTIMATES COMMITTEE

EIGHTEENTH, TWENTIETH AND TWENTY-SECOND REPORTS

Shrimati Benuka Ray (Malda): Sir, on behalf of the Chairman of the Estimates Committee, I beg to present the following three reports of the Estimates Committee:—

- (1) Eighteenth Report on action taken by Government on the recommendations contained in the Nineteenth Report (First Lok Sabha) of the Estimates Committee on the Ministry of Railways—General Administration.
- (2) Twentieth Report on Budgetary Reforms.
- (3) Twenty-second Report on the Ministry of Steel, Mines and Fuel—(Department of Mines and Fuel—Oil Division)—Oil and Natural Gas Commission, Oil Refineries etc.

PROBATION OF OFFENDERS BILL—Contd.

Mr. Speaker: The House will now take up further clause by clause consideration of the Probation of Offenders Bill, 1957 as reported by the Joint Committee. Out of 8 hours allotted to this Bill, one hour and 26 minutes now remain. Clauses 2 to 17 and 19 were adopted yesterday. The House may continue discussion on clause 18 which was deferred.

Shri Jaganatha Rao (Koraput): Mr. Speaker, yesterday I moved an amendment to clause 18 for the deletion of the words in lines 86 and 37, "or sub-section (2) of section 5 of the Prevention of Corruption Act, 1947".

My object in moving this amendment is to see that persons found guilty or who were charged under sub-section (2) of section 5 of the Prevention of Corruption Act also come within the purview of the Probation of Offenders Bill. Government servants who are charged with this offence will be denied the right of probation if this clause is allowed to remain as it is. There are several kinds of cases coming within the purview of the Prevention of Corruption Act. Some persons are hauled up, in some cases clerks are hauled up and the subject matter involved in some cases is trivial. In some cases, it may amount to a technical commission of this offence. In such cases, it would not be correct to deprive them simply because the charge is under the Prevention of Corruption Act. Clause 4 of the Bill is wide enough to attract all offences under the Penal Code, which are not punishable with death or transportation for life. I see no reason or logic why these people who are charged with offences under the Prevention of Corruption Act should be excluded from the operation of this Bill.

Shri Raghubir Sahai (Budaun): On a point of order, Sir,...

Mr. Speaker: Let him finish. I will hear the hon. Member.

Shri Jaganatha Rao: This clause was not in the Bill as it was introduced. The Joint Committee, after some discussion, included it. Some Members wanted its inclusion. Some Members have written minutes of dissent that it should not be there.

Mr. Speaker: How does it happen that if it was not there, there is no marking.

Shri Jaganatha Rao: I may point out that in the original Bill this clause was not there—these words 'or sub-section (2) of section 5 of the Prevention of Corruption Act, 1947' were not there.

Mr. Speaker: Clause 18 was new?

Shri Jaganatha Rao: Clause 18 was there. In lines 36 and 37 the words 'or sub-section (2) of section 5 of the Prevention of Corruption Act, 1947' were included in the Joint Committee. Some Members have appended a note of dissent. I want the deletion of these words for the reasons explained by me. Clause 4 of this Bill is wide enough to include all offences which are not punishable with death or transportation for life. Under clause 18, persons who are charged with an offence under section 5 of the Prevention of Corruption Act, though the offence may be trivial or technical, would be deprived of the benefit of clause 4 of this Bill. That is the object which prompted me to move this amendment.

Again, in the Criminal Law Amendment Act, which was passed by this House last session, section 5 of the Prevention of Corruption Act was substituted and it was said in sub-section (2) of section 5 that any public servant who commits criminal misconduct in the discharge of his duty shall be punishable with imprisonment for a term which shall not be less than one year, but which may extend to 7 years and shall also be liable to fine provided that the court may for any special reason to be recorded in writing, impose a sentence of imprisonment of less than one year. Even after this amendment, the discretion is given to the court to impose a lesser sentence. My submission is, in a proper case, power should be given to the magistrate acting under this measure to exercise discretion in proper cases.

Shri Raghubir Sahai: Now that Shri Jaganatha Rao has made his speech, I think I should be allowed to say something.

Mr. Speaker: No, no. The hon. Member only wanted to raise a point of order, while Shri Jaganatha Rao moved an amendment.

Shri Raghubir Sahai: My point of order is that Shri Jaganatha Rao was a Member of the Select Committee. The whole issue was considered by the Select Committee, and I find from the Report of the Select Committee that he has not appended any Minute of Dissent with regard to this. There are other Minutes of Dissent appended by other Members, but he stands pledged to all the clauses of the Bill. He has appended his signature to that. He should be the last man to have moved this amendment to this clause regarding deletion.

Dr. Sushila Nayar (Jhansi): I have appended a Minute of Dissent on this issue. I have even spoken about this matter in this House when the Bill was having the first reading. It makes not the least difference if I move it or Shri Jaganatha Rao does it. I was not here to move the amendment in time, Shri Jaganatha Rao has done it. So, if it makes any difference to the hon. Member, my name may be substituted for that of Shri Jaganatha Rao.

Mr. Speaker: Hon. Members will try to be very careful regarding this matter. We entrust a Bill to the care of the Select Committee, and hon. Members are entitled as a matter of right to append Minutes of Dissent. What are we to go by if Members of the Select Committee agree to the provisions of a Bill and then suddenly an hon. Member gets up here and says: "No, no, I want to introduce an amendment."? Whom are we to believe? Why should the hon. Member be in the Select Committee, give one impression there and create another impression here? I am very sorry. This ought not to take place hereafter.

Shri Jaganatha Rao: May I submit I was not present at the last session of the Select Committee? Therefore, I could not append a Minute of Dissent.

Mr. Speaker: If he does not append, he must keep quiet, he must suffer because of the majority.

Shri T. N. Singh (Chandauli): In the Select Committee there may be small differences on this or that issue, but we do not usually, or in many cases, think it important enough to submit a Minute of Dissent. In the case of those minor things, supposing we were to move an amendment, shall we be taken to task as you have stated? That is what I want to know.

Mr. Speaker: Hon. Members are agents of this House in the Select Committee. They are supposed to represent all the views here. There is no meaning in wasting the time of the House by sending it to the Select Committee if once again hon. Members, having done something there, come here and oppose it and say: "This is a smaller matter. We did not append a Minute of Dissent". I would expect every hon. Member to state what he had to say even if it is a small matter. There is no harm. We are not hesitating to print.

Shri T. N. Singh: There are some small points on which a Minute of Dissent would not be justified.

Mr. Speaker: Yes. Let us decide from time to time.

I will now accept this as an amendment moved by Dr. Sushila Nayar. I do not say that a Member of the Select Committee is bound absolutely in every minor detail, but sufficient notice must be given, or he must have had an opportunity. I would advise hon. Members who differ on particular matters, to place before the House, as far as possible, their point of view so far as essential matters are concerned, state that they do not agree and leave it to the House at the consideration stage, and thereafter move amendments.

Shri Jaganatha Rao: I spoke about it when I spoke the other day.

Mr. Speaker: We did not notice. The hon. Members did not notice.

Dr. Sushila Nayar: I wish to make one small statement, and that is this. There were a number of hon. Members in the Select Committee who disagreed with this point, but when we drafted the Minute of Dissent, some of them had left, and it was not possible to get the signature of every Member who had expressed disagreement in the course of the discussion. So, I hope we will have your indulgence. Though the signature of a particular member on the Minute of Dissent is not there, if the hon. Member feels strongly, he may not be debarred from moving an amendment.

Mr. Speaker: I shall try to devise a method to make the differences of opinion known even without appending a Minute of Dissent which must be taken advantage of only in case of essential differences, on essential matters. The Minutes appended are circulated to hon. Members here, except in a particular matter where an hon. Member does not think it important to append a Minute. In any particular case where an hon. Member wants to say: "Let it not appear that this is unanimous", it will be said "carried by majority". in which case those hon. Members who wanted to reserve their right to move amendments will take advantage of that position. If, even there they keep quiet and do not express dissent, then I do not think they should come up here. It must be left to other Members to take up that matter. I will give instructions that such a provision may be made that without appending Minutes of Dissent on smaller things their disagreement may be indicated that way.

I shall treat this as an amendment moved by Dr. Sushila Nayar.

Shri Sinhasan Singh (Gorakhpur): On a point of order. Yesterday Shri Jaganatha Rao moved an amend-

ment. This was considered a very important amendment, and as no notice was given to the House, the Deputy-Speaker ruled that proper notice should be given. That amendment of his is not being moved, and now Dr. Sushila Nayar's name is being substituted. That becomes a new amendment today. How can there be substitution of a name in an amendment? I move an amendment, it is ruled out, then how can my name be substituted by that of somebody else?

Mr. Speaker: I shall divide this into two portions. Substantial injustice to the House by taking it by surprise is one thing. If this matter has not been circulated to hon. Members . .

Sardar Hukam Singh (Bhatinda): Now it has been.

Mr. Speaker: I suppose it has been circulated to hon. Members.

Some Hon. Members: Yes.

Mr. Speaker: Therefore, whoever might move the amendment, so far as the House is concerned, there is no surprise. As a matter of fact, until the point of order was raised, hon. Members must have been ready to get along with this amendment. I am only allowing it because of a technical objection as it was said that this matter was raised there or included in the Select Committee Report. We need not be too technical. I can allow another hon. Member, and if necessary, I will ask her to repeat what Shri Jaganatha Rao has said. There is no want of notice. Let us not stand on too much of technicalities. If occasion arises, I will allow Shri Sinhasan Singh to do the same thing.

Pandit K. C. Sharma (Hapur): I rise to oppose this amendment, and my reason is that there is a difference between a private man or citizen as such and a man holding a Government office. The difference is this that the Government officers are mature men, experienced persons expected to have been trained

[Pandit K. C. Sharma]

in what is called rationalised discipline. They contract not only for the efficient discharge of their duties, but also for good conduct and a reputation for integrity. Therefore, dereliction on their part is deliberate and wilful and as such cannot be treated with leniency and sympathy. Therefore, in no case can the principle that is applicable in other cases be applied in the case of Government servants.

With these words I oppose this amendment.

Shri Kasiwal (Kota): I rise to oppose the amendment.

When the Criminal Law Amendment Bill was under discussion, an amendment which had been moved by me was unanimously accepted by the House. The purport of that amendment was that a corrupt officer, whatever the offence he committed, was liable to at least one day's imprisonment and fine, or whatever it was. That amendment was unanimously accepted and by this amendment it is today said that that corrupt officer will not get even that one day's simple imprisonment. For that reason I oppose this amendment. It is absolutely contrary to the spirit of the Criminal Law Amendment Act.

Shri Sinhasan Singh: The hon. Minister who was piloting the Prevention of Corruption Bill, in respect of which the amendment of Shri Kasiwal was accepted, gave an assurance in the House that the matter will be looked into on the Probation of Offenders Bill. When it was mooted, he agreed that provision should be made so that corruption cases should not be governed by this Probation of Offenders Act. There was probably the only one dissenting voice at that time. Having given that assurance, how can Government accept this amendment

now? After Government have accepted, this thing is coming up again. With what face can we say before Parliament after passing that Bill in which we provided a minimum sentence to an officer who was guilty of corruption, that we are going to apply to him also the Probation of Offenders Act so that he may be warned off or he may be put on probation and we can do these things somehow or the other? I humbly submit that this is an amendment which Government should not accept here. Moreover, it is an amendment which has been moved by a private Member and not by Government. Therefore, I would urge that the *status quo* of the Bill should be allowed to prevail.

Shri Raghubir Sahai: This amendment, according to your direction, has been considered to have been moved by Dr. Sushila Nayar. With your permission, I would invite your attention to a few lines from the minute of dissent that she has appended to the report of the Joint Committee.

Mr. Speaker: Let us go into the merits of this amendment, instead of going into what she has said. Has the hon. Member got anything to say as to how it is derogatory or it is not good.

Shri Raghubir Sahai: I am just coming to that. She states in her minute of dissent:

"If those guilty of dacoity and murder can be treated under the probation of offenders Act under certain circumstances, there does not seem any reason to treat a Government servant guilty of corruption which may not be of a serious nature at all as a criminal beyond redemption."

In the course of her speech on the Probation of Offenders Bill also, she referred to minor offences committed by Government servants.

I think she is labouring under misapprehension that the Prevention of Corruption Act also refers to minor offences, which it does not. Minor offences may be under section 161 or 165 of the Indian Penal Code. For instance, acceptance of illegal gratification by a public servant or obtaining any valuable thing by a public servant etc. may be minor offences, but the offence under section 5(2) of the Prevention of Corruption Act is a serious and an aggravated form of crime.

Mr. Speaker: Has the hon. Member got a copy of the Act? What does section 5(2) say?

Shri Raghunir Sahai: Section 5(2) of the Prevention of Corruption Act reads:

"Any public servant who commits criminal misconduct in the discharge of his duty shall be punishable with imprisonment for a term which may extend to seven years or with fine or both."

And what is criminal misconduct? It has been defined as follows:

"A public servant is said to commit the offence of criminal misconduct in the discharge of his duty—

- (a) if he habitually accepts or obtains or agrees to accept or attempts to obtain from any person for himself or for any other person any gratification as a motive or reward such as is mentioned in section 161 of the Indian Penal Code;
- (b) if he habitually accepts or obtains or agrees to accept or attempts to obtain for himself or for any other person any valuable thing without consideration or for a consideration which he knows to be inadequate;
- (c) if he dishonestly or fraudulently misappropriates or otherwise converts for his

own use any property entrusted to him or under his control as a public servant;

- (d) if he, by corrupt or illegal means or by otherwise abusing his position as a public servant, obtains for himself or for any other person any valuable thing or pecuniary advantage."

And the punishment has been prescribed to be seven years. So, my humble submission is that it is not a minor offence. It is a more aggravated form of offence. From your vast experience, Sir you will agree with me that such offences are rarely detected, and still more rarely are they punished. So, whenever any such offence is detected, and the court comes to the conclusion that the offender has to be sentenced, and the offender is sentenced, then, to say that the provisions of the Probation of Offenders Bill should be made applicable looks absurd.

Only last February, we considered an amendment of the Criminal Law (Amendment) Act, which was sponsored by the Home Minister, when this issue was thoroughly discussed; and after that, this particular section, namely section 3 was passed. In that section, it has been stated:

"2. Any public servant who commits criminal misconduct in the discharge of his duty shall be punishable with imprisonment for a term which will not be less than one year, but which may extend to seven years, and shall also be liable to fine:

Provided that the court may for any special reasons recorded in writing impose a sentence of imprisonment of less than one year."

Then, the court will have all the facts before it. And these cases, let it be remembered, are to be tried by special judges and not by ordinary magistrates. And the special judge will have to take all these facts into consideration.

[Shri Raghubir Sahai]

If this kind of amendment is accepted, then what will it amount to? It will amount to this, namely that when a Government servant is found guilty of corruption, and he has been convicted by the court, the provisions of the Probation of Offenders Bill will be invoked, and the judge would say, "On due admonition or on probation, you can be released". And what will happen to his service? After a conviction under this provision, he would lose his service. But if the Probation of Offenders Bill comes into operation, he cannot lose his service.

Pandit K. C. Sharma: Why?

Shri Raghubir Sahai: How will you go on watching him as to how he behaves until and unless he is put in service? So, that reduces it to an absurdity. As has been pointed out by my hon. friend Shri Sinhasan Singh, when the original Bill was before this House, Shri Datar gave an undertaking that this matter would be sympathetically considered by the Joint Committee, and when the Joint Committee has come to the conclusion that this provision should be embodied in the Bill, I do not think there is any occasion for the deletion of this provision.

Mr. Speaker: Now the Minister.

Dr. Sushila Nayar: May I have my say?

Mr. Speaker: The hon. Member has already spoken.

Dr. Sushila Nayar: No, I have not spoken at all.

I wish to say that there seems to be a lot of misunderstanding on this question. In the first place, the hon. Member who has spoken just now seems to think that there has to be a conviction first, and after the conviction, the Probation of Offenders Act will come into operation. That is not so at all. The truth of the matter is that instead of the conviction proceedings, the Probation of

Offenders Bill provides for a different procedure for dealing with the case.

The second thing that he said was that a man who had been continuously taking illegal gratification and thereby committing criminal misconduct in the discharge of his duties and son on and was liable to seven years' imprisonment should not be let off on Probation. Does the hon. Member seem to think that the Probation of offenders Bill is going to be applied ipso facto to every case that comes before the court? That is not so. The court is supposed to give due consideration to the character, to the circumstances, and to all kinds of other details, before deciding whether the benefit of probation be extended to the man or not.

Another hon. Member stated here that a Government servant—or, rather he used the words 'Government officer'—is not like an ordinary citizen. First of all, I wish to say that all Government servants are not Government officers. A peon is also a Government servant; and a big officer is also a Government servant; a petty clerk is also a Government servant. A case has come to me, which I have given to the Railway Minister, where a man has been suspended and dismissed for the alleged fault of taking four annas' illegal gratification; he is a compounder. The man has gone after that to the court and the court has set aside his sentence and he had to be reinstated. He rejoins duty, and within 3-4 days is again dismissed.

Shri Raghubir Sahai: He will not be guilty of criminal misconduct.

Dr. Sushila Nayar: In terms of what the hon. Member has said just now, acceptance of any amount is also criminal misconduct.

In pursuance of the post that he holds, if a Government servant takes money, that is criminal misconduct

I do not want to change that definition. It should be deemed as criminal misconduct. But what we want to be considered is cases like the one I have cited. That man was reinstated. After three days, he was dismissed again. He went to the High Court. He was reinstated for the second time. After seven days, he is dismissed again. Now that man comes and asks: 'Am I to go to the Supreme Court? And if they set aside the judgment of the Supreme Court also, what am I going to do?' Uptil now, you could dismiss a man, but tomorrow for that petty 4-anna piece, you could send him to prison for one whole year and ruin his career for the rest of his life. Is that fair? Feelings are all right. Sentiments are all right. I am not behind anyone of the hon. Members in fighting corruption. I want the country to be free from corruption. I do not want even 4-anna corruption to exist. I had to deal with a government servant for petty corruption. After full investigation, we dealt with him seriously. What was the offence? The man had taken a seer of *barfi* as illegal gratification. He was a petty clerk in the Rehabilitation department. I did not dismiss him. I did not throw him out of his job. But I gave him a very serious admonition and we kept him under careful watch. We also changed his duty from one section to another. We thought that even acceptance of one seer of *barfi* was serious enough to take action on. We do not want any of our government servants to accept illegal gratification of any kind.

Therefore, I am not behind anyone of the hon. Members in feeling very strongly and very deeply that corruption is a very bad thing and we must do everything possible to put an end to corruption. But resort to drastic remedies always is not necessarily the way to deal with that problem.

The court is there to decide, that he is not a habitual offender, that he is or is not capable of behaving well.

The court is there to see to the character of the man, whether that man was deliberately misusing his place and his power and was dealing with cases in a manner detrimental to the country.

But if there is an occasion when an *ayah* or a miserable peon with a sick child in the hospital takes 8 annas from some one for arranging medicine or a penicillin injection for his seriously sick child is that miserable man or woman to be sent to jail, are you going to deny her the benefit of this Bill? Are you going to send that woman to jail for a year? I think if you do, that it will be callousness heartlessness and it will not lie becoming of the dignity of this House. Government servants are our kith and kin. They are as much citizens of this country as we or anybody else. To discriminate against them and say that under no circumstances shall they escape the penalties imposed by the Criminal Law Amendment Act is, I submit in all humility, not right, and I beg of the House that the amendment that has been moved be accepted.

Mr. Speaker: Why not that person take advantage of the provisions of clause 19, section 562 of the Code of Criminal Procedure? If the special provisions of the Bill are not made applicable under clause 18, the general provisions under section 562 of the Code of Criminal Procedure will apply all the same. Why should he not take advantage of that? Is it wrong for hon. Members to say that the special concession which is given to certain classes of persons ought not to be extended to persons who hold a position of responsibility and who can come under the general law, under section 562 of Cr. P.C.?

Sardar Hukam Singh: I was also a party to the decision that was arrived at by the Joint Committee. Therefore, I owe an explanation why did arrive at that conclusion. It is not the case that we will be discriminating against the public servants

[Sardar Hukam Singh]

when we exempt them from the benefits that are being given by this Bill. It is a matter of principle, whether any class of persons who are burdened, as you were just now pleased to remark, with such heavy responsibilities can be given the advantage of it or not. Hard cases can be cited as the hon. lady Member has done. But the law is not to be made simply by keeping those hard cases in view. It is the generality of cases that we have to consider.

It was argued before the Committee that in those classes of cases where minimum punishment is prescribed, normally our Indian Penal Code prescribes punishment that it would not exceed such and such. That is the usual way of prescribing punishment under the IPC. But there are certain offences in which it is not the maximum that is prescribed but the minimum. In fact, in cases under the IPC where it is said that the punishment may extend to 7 years or 10 years or 2 years, it is only for guidance of the Magistrate that the maximum limit is prescribed. He is free to give anything less than that, whatever he likes. Sometimes if ten years are prescribed, he may feel that the ends of justice would be served if only one day's imprisonment is awarded. There may be cases. But there is a class of cases where that procedure has not been followed even under the IPC. I would refer to section 302 of the IPC, though that is not covered under the present Bill. This is only to illustrate that there are certain offences where the actual punishment is prescribed. The punishment is death or transportation. No other punishment can be given.

This is not the only case. There is section 397 which says 'the imprisonment with which such offender shall be punished shall not be less than seven years'. Similarly, there is section 398—'shall not be less than seven years'.

Under other laws that are outside the Indian Penal Code, we have many a time, and particularly during recent years, prescribed particular punishment for offences. It was argued in the Joint Committee that when a particular punishment which is the minimum—an extraordinary thing to do under our criminal jurisprudence—when that has been prescribed, these cases should be excluded from the benefit that are to be given to the ordinary offenders under the Bill we are just now considering. There was a precedent for it. Even in the Criminal Justice Act of UK, we see in section 3(1) :

"Where a court by or before which a person is convicted of an offence (not being an offence the sentence for which is fixed by law . . ."

Here the sentence is fixed by law. Even under the U.K. Act, all those offences have been taken out for which the sentence has been fixed by law because they are peculiar, a class by themselves. Once the legislature thinks that at least this punishment must be given if the man is found guilty, then he would not get without having this punishment. This would be the least that he would get.

We passed our Prevention of Corruption Act in 1948. But we thought that it was necessary that it should be amended and the minimum prescribed, because there is a feeling that as a corruption increases in our country, and people talk so much of it, all those offences for which sentences had been prescribed and the minimum set by the legislature, should not be covered by the present Bill. A compromise was reached at that time that at least offences relating to these public servants who are guilty of misconduct should be excluded. Therefore, this amendment was made by the Joint Committee. And I was under the impression that the Minister in charge too had agreed to that amendment. Certainly, when that is

the objective, I do not feel that the Government shall be persuaded so soon to accept the present amendment and restore the original position that we considered so thoroughly.

I beseech the hon. Minister that he should consider it again and take out at least those cases of misconduct of public servants. Our ideas was that the public servants who are guilty of misconduct should not get away with any less punishment. These two would be contradicting each other. There, we have said—Notwithstanding anything contained in any other law—and now again, if we say: Notwithstanding anything contained in any other law the court may discharge the accused and give him only admonition or release him on probation. That is why I have to oppose the amendment that has been moved now.

Shri Jaganatha Rao: Sir, you ruled that a Member of the Select Committee who did not append a minute of dissent is not entitled to move an amendment contrary to the report of the Select Committee. I invite your attention to a decision from the Book, *House of the People—A Selection from the Decisions of the Chair—1921—1950*, page 81. We find therein:

“During the discussion on the clauses of the Motor Vehicles Bill, an amendment was moved on behalf of Government to a clause which had been agreed to in Select Committee whereupon objection was taken that the amendment did not find any place in the dissenting minutes of the Government to the report and could not therefore be moved on behalf of Government, but the Deputy President ruled:

‘As the point of order is pressed, I have got to give my ruling. I hold that there is no convention or practice like that and that reason also does not justify any such practice or convention. A

member of the Select Committee may very honestly change his opinion after the Bill has been brought here. I, therefore, hold that the Honourable the Mover of this amendment is perfectly in order.’”

The practice has been—and my experience of one year is—that the Members are not required to put their signatures in the report. I have also been observing hon. Members speaking against the Bill though they are Members of the Select Committee. I feel that the amendment is not out of order and it is perfectly valid. But I leave it to the sense of the House. If the House is not prepared to accept my amendment, I am prepared to withdraw it. I want a clarification.

Mr. Speaker: So far as this point of order is concerned, this single decision so early as 1938 has been brought to my notice. We have not had any further rulings till now. I am really surprised at what would happen if, when 30 Members of the Select Committee have been entrusted with the task of looking into a matter which the House as a whole has no time to look into in detail, after they have considered and spent as much time as possible, merely taking advantage of this everyone were to come and speak as he likes and move an amendment he likes. Then, why should it be sent to the Select Committee at all? I am really afraid that this ruling is so wide and liberal that it practically makes it useless to send any particular thing to any Select Committee.

I can easily understand cases where when a Government brings a Bill, when there is a body of opinion contrary to a particular provision in it—after the Select Committee has gone through it—it ought to be open to the sponsor of the Bill to say that in view of what has happened in this House since the Select Committee, he is prepared to change the provision. At one time, though the

[Mr. Speaker]

Select Committee technically represented everyone, it did not represent everyone. That is an exceptional matter.

But it is quite different for every Member who is there on the Select Committee and who does not say a word about it in the Committee to come here and say that he has got the privilege because he is a Member of the House and this ruling applies to him. I do not know whether the House will be in agreement with the view that every Member of the Select Committee can get up and say that he takes umbrage under this ruling of 1938. I am really sorry that I cannot accept it. Whatever might be the decision that is reported here, that is a casual one. I would not restrict the right of the sponsor of a particular Bill to change his opinion, whatever might have happened in the Select Committee, in pursuance of a general desire on the part of the House, for that is a matter of policy and so on. But this ought not to apply to every trivial matter; nor should it apply to every hon. Member who is a Member of the Select Committee to come and say that he takes umbrage under this ruling and proceed as he likes.

These are the restrictions which I would put upon this ruling which is cryptic and which has been reported here, with all respect to the Deputy President who was in the Chair then. He did not evidently mean that it ought to apply to every hon. Member of the Select Committee—possibly the matter did not arise—and that he could come along with any amendment on which he did not speak at the Select Committee at all.

The hon. Minister.

The Minister of Home Affairs (Pandit G. B. Pant): Sir, the arguments advanced by the hon. Deputy-Speaker seem to me to carry considerable weight. In the original Bill, as it was introduced in the House,

this exception has not been made. When the Bill went to the Select Committee, the Members of the Select Committee, who had undoubtedly great opportunities for thrashing out the details of the measure, considered it necessary to introduce this amendment. I find the following in the record of the proceedings: for paragraph 21, substitute,—

“The Committee are of opinion that where any public servant commits criminal misconduct in the discharge of his duties and is punishment under sub-section (2) of section 5 of the Prevention of Corruption Act, 1947, the provisions of this Bill should not apply to such a case. This clause has, accordingly, been amended to include sub-section (2) of section 5 of this enactment.”

The Committee, accordingly, introduced this clause by way of amendment.

I personally feel that while there may be some hard cases, some marginal cases—as there always are—in the enforcement of any penal law generally, the provision that had been made initially in the original Bill should be preferable to the amended one that is now before the House. And there are, I think, adequate reasons for our maintaining the Bill in its present form.

It is only a few months ago that we passed the Criminal Law (Amendment) Bill and we thought that it was necessary to prescribe the minimum term of imprisonment for cases coming within the purview of that Act. So, our view then was that persons found guilty of offences under that Act should not be sentenced to a term of less than one year. We somehow softened the rigour of that by providing that for special reasons the court may reduce the term of imprisonment. But, the

normal rule was laid down that it should not be less than one year. While the reasons which weighed with the House in making that provision would, certainly, to a large extent go against the spirit of the present amendment, what we then did was based on certain principles. I need not enunciate or recapitulate them now.

So far as I know there has hardly been any complaint of unduly severe sentences having been passed on public servants. On the whole, they have been treated by the courts in a just and fair manner. So, there is no reason to apprehend that the courts will take an unduly harsh view of the offences when they are committed by public servants. Dr. Sushila Nayar referred to some case where a peon may take a bribe of four annas or so. It is the taking of the bribe and not the amount of the bribe that matters; nor is the position of the bribe-taker really very relevant so far as the application of the law is concerned. But in determining the sentence the courts take a reasonable view and take into account all relevant aspects which have a bearing on the particular question of punishment to be meted out to the culprit.

So it is open to a court where it so finds that a man should not be sentenced to a long term of imprisonment. But one may extract four annas from a beggar who collects four annas in four days and starves for most of the time. So it is not only the amount that is taken, but the person from whom it is extracted which is also a relevant factor. Then other circumstances may have also to be taken into account. So, no hard and fast rule can be laid down for that.

The fact is there that in this House as also outside there is a keen and widespread desire that corruption should be put an end to. We all share that laudable view, and in our country which has placed before itself, or at least thinks that it has placed before itself, high ideals and lofty principles, it is extremely degrading that any-

one who carries the respectable title of a 'public servant' should stoop low and indulge in corruption regardless of the manner or the amounts involved.

So I do not see anything that goes against the amendment that was accepted by the Select Committee and in the circumstances when opinion in this House, and probably the consensus of opinion is in favour of the amended clause, it is but fair that so far as possible it should be adopted unanimously, or with the least number of dissentient votes. So, I would request the mover to withdraw the amendment.

Mr. Speaker: What is the attitude of the hon. mover?

Shri Jaganatha Rao: I take it that the amendment stands in my name?

Mr. Speaker: It stands in his name, though I allowed Dr. Sushila Nayar to move it. I take it is not pressed. So, it is not necessary for me to put it to the vote of the House.

The amendment was, by leave, withdrawn

13 hrs.

Shri Naushir Bharucha (East Khandedh): May I point out that there is an amendment (No. 16) in my name to clause 18, and I may be permitted to move it?

Mr. Speaker: Why did he not move it yesterday?

Shri Naushir Bharucha: Clause 18 was held over.

Mr. Speaker: The clause was taken up yesterday. As soon as a clause is taken up hon. Members are asked to indicate the amendments which they would like to move.

Sardar Hukam Singh: As soon as I took up the clause Shri Jaganatha Rao moved his amendment and all attention was directed to that side. Therefore there was no chance for Shri Bharucha.

Shri Naushir Bharucha: Sir, I beg to move:

Page 7,—

(i) line 35, before "Nothing" insert "(1)"; and

(ii) after line 39, add—

"(2) Notwithstanding anything contained in this Act, the provisions hereof shall not apply to offences under such Acts passed by Parliament or any State Legislature wherein a specific provision exists or is made, excluding the application of this Act."

The object of my amendment is this. Just now we had a long discussion in connection with the provision as to what would happen in cases where minimum sentence is prescribed. Now in the course of the discussion of this Bill, particularly discussion of clauses 3 and 4, attention was drawn to the words "notwithstanding anything contained in any other law".

Now, supposing tomorrow Parliament decides to enact legislation providing special minimum punishment, or a State legislature decides to enact a law providing special minimum punishment. Then there will be no meaning in enacting such a law, because even when that law prescribes such a punishment, on account of the wordings of clauses 3 and 4 that particular section prescribing minimum punishment will be nugatory. Supposing after six months this House considers that some sort of punishment is required for a particular type of offence and we prescribe a minimum punishment of one year for that, it will be no use our passing that legislation because it will be over-ruled by the wordings of clauses 3 and 4.

In other words, as the provisions of the Probation of Offenders Bill stands, it takes away in effect the rights of Parliament and of State Legislatures to enact any law providing for a minimum punishment and as the Deputy-Speaker rightly pointed out, there will be a conflict and very probably the provisions of the Probation of Offenders

Bill will prevail. The object of my amendment is to reserve this right of prescribing minimum sentence in case of future legislation by Parliament or State Legislatures. Therefore, I desire that a particular clause like this should be incorporated—

"Notwithstanding anything contained in this Act, the provisions hereof shall not apply to offences under such Acts passed by Parliament or any State Legislature wherein a specific provision exists or is made, excluding the application of this Act."

Supposing tomorrow we desire to pass a special legislation prescribing minimum sentence and in that we say that "notwithstanding anything contained in the Probation of Offenders Act this shall prevail" still there will be a conflict. Therefore, in order to avoid conflicts and reserve to Parliament and State Legislatures the right to pass Bills enacting minimum sentence, I am moving this amendment. It does not detract from the existing scope of the Bill.

Mr. Speaker: The amendment is before the House.

Shri M. C. Jain (Kaithal): Mr. Speaker, Sir, I rise to support the amendment of Mr. Bharucha and I congratulate him for bringing this amendment before the House. It is very necessary, as pointed out by my hon. friend that Parliament should have the right in future legislation to exclude the application of this Act to future Acts and if this amendment is not accepted, if this amendment is not in the Bill, in future measures Parliament will not be able to exclude the operation of this Act. Therefore, I plead with the hon. Home Minister to accept this amendment.

The Minister of Law (Shri A. K. Sen): Sir, I think I must say a few words.

Mr. Speaker: Do they have the power?

Shri A. K. Sen: One does not have that power. To start with it is a futile amendment for the simple reason that Parliament is going to legislate in

future on the subject. It is the real object of the present Bill. Parliament considers that the State should not be affected by the present Bill. It can easily provide so in future. So far as the State legislature is concerned it can legislate because it is a concurrent function.

Shri Naushir Bharucha: The words are "notwithstanding anything contained....."

Mr. Speaker: We may say again: "Notwithstanding anything contained in the previous law..."

Shri Naushir Bharucha: That means conflict. Which is to prevail?

Shri A. K. Sen: The latest always prevails. So far as a State legislature is concerned, it can negative the effect of a Parliament's statute if it legislates in the concurrent field and gets the assent of the President. When those conditions have been fulfilled, I do not see how it can be said that this Parliament abdicates its competence in relation to some other State legislature to legislate. I think it is not the intention.

The Minister of Home Affairs (Pandit G. B. Pant): The Law Minister has stated in his usual lucid way what I wanted to say. I was somewhat perplexed to see an amendment of this character in the name of hon. Shri Bharucha who has a very strong legal sense. Look at this amendment. It reads:

"...the provisions hereof shall not apply to offences under such Acts passed by Parliament or any State Legislature wherein a specific provision exists or is made, excluding the application of this Act."

This Bill will be passed today, I hope, by this House and it will have to go to the other House and will be passed there later. So, no specific provision can possibly be found in any Act today excluding the application of this Act—I mean—taking the words of the amendment as they are. The operation

and application of this Act cannot be specifically excluded in positive terms with regard to any existing statute because it is passed only today.

Shri Naushir Bharucha: There may be State laws which may have a clause to the effect that no law relating to probation may be applied....

Pandit G. B. Pant: I do not think that there is anything like that and no such law could have been anticipated. (Interruptions.) You have, at any rate, not perhaps framed it so as to give effect to your intentions. Then the other part is that it shall not apply to offences under such and such Acts. So far as the future is concerned, the Parliament is free to repeal this Act tomorrow and it is competent to amend this Act in any way...

Mr. Speaker: and amend the Constitution also.

Pandit G. B. Pant: It can say that notwithstanding anything contained in this Act, such and such procedure will be followed and that this minimum sentence will be inflicted on a person found guilty of such an offence. The future freedom of the Parliament is not being mortgaged by means of this Bill. It continues as it has been in its ample plenitude. There is hardly any substance in the amendment.

Mr. Speaker: Is it necessary to press this amendment. That is the view of the hon. Home Minister and also the hon. Law Minister.

Shri Naushir Bharucha: With due respect to both of them, I still do not agree. It means an amendment of this Act every time.

Mr. Speaker: All right. I shall put the amendment to the vote of the House.

The question is:

Page 7,—

(i) line 35, before "Nothing" insert "(1)"; and

[Mr. Speaker]

(11) after line 29, add—

"(2) Notwithstanding anything contained in this Act, the provisions hereof shall not apply to offences under such Acts passed by Parliament or any State Legislature wherein a specific provision exists or is made, excluding the application of this Act."

The motion was negatived.

Mr. Speaker: The question is:

"That clause 18 stand part of the Bill."

The motion was adopted.

Clause 18 was added to the Bill.

Mr. Speaker: There is an amendment—No. 17—to clause 1.

Shri Balasaheb Patil (Miraj): Sir, I beg to move:

Page 1, line 6,—

after "come into force in" insert
"or withdrawn from".

Mr. Speaker: The amendment is before the House.

Shri Balasaheb Patil: Sir, this Act seems to confer certain powers on State legislatures. The probation officer who is the pivotal figure under this Act is to be appointed by the State Government under clause 13 and his activities are also to be supervised by the State Government. Under clause 17, we confer certain powers on the State Governments to make rules in respect of the probation officers. Even if we pass this Bill, the right is given to the State Government to apply this Act under clause 1(3). It says that it shall come into force in a State by a notification on such date as the State Government may appoint.

Supposing the State Government, taking into consideration the law and order position, does not want to apply this law, what is the position? We have given wide power to the State Governments to enforce it. Certain more powers to withdraw its application should also be given. An emergency may come in this form when certain offenders in a certain part may take into their hands the law and

order situation. So, the power to withdraw the application of this Act shall also be given to them.

Mr. Speaker: What is the legal position? If the State Government has got the right to apply this Act by a notification, has it not got the right to withdraw its operation by a similar notification?

Shri A. K. Sen: It has got that right under the General Clauses Act.

Shri Balasaheb Patil: My amendment will make it more specific.

Mr. Speaker: Whatever law there is, why shall it be made more clear?

Shri Balasaheb Patil: Parliament confers powers on the State Government. So, when there is a question of withdrawal, I hope naturally that this power may rest with the Parliament and not with the State Government and therefore, I am insisting on the addition of these words here.

Pandit G. B. Pant: It seems to me to be superfluous.

Mr. Speaker: Need I put it to the vote of the House?

Shri Balasaheb Patil: No, Sir.

The amendment was, by leave, withdrawn.

Mr. Speaker: Under the General Clauses Act, he who has got a right to appoint has got a right to dismiss, if he so chooses. I shall now put clause 1 to the vote of the House. The question is:

"That clause 1 stand part of the Bill."

The motion was adopted.

Clause 1 was added to the Bill.

The Enacting Formula and the Title were added to the Bill.

The Deputy Minister of Home Affairs (Shrimati Alva): I beg to move:

"That the Bill, as amended, be passed."

Mr. Speaker: Motion moved:

"That the Bill, as amended, be passed."

Need we have a third reading? We have already exceeded the time.

Some Hon. Members rose—

Mr. Speaker: Three minutes each.

Shri S. M. Banerjee (Kanpur): Sir, make it five minutes. I congratulate the Home Minister and the Government for bringing this piece of legislation. I have heard with patience the discussion on the amendments moved by the various friends. There is some fear that this Bill may lead to more crimes. But I am one of those who feel that human nature is apt to change. It is not that in this particular country we have got the history of a dacoit who ultimately became Valmiki. We know that in this House Lord Buddha was mentioned, Gandhiji was mentioned and it was said that they failed to change these people. I have tried to understand the psychology of these criminals while in jail. There is a strong feeling in them that once they become a criminal and go to the jail, the door of the entire world is closed to them and it is the reason why once they go to the jail they want to make jail their permanent house.

I may remind my hon. friends of that famous book of Alexander Dumas, *Count of Monte Cristo*. When Dantes was deprived of everything in this world and he got a good fortune, do you know what he said to the other people? He said: "Overturn the world, change its character, yield to mad ideas and even be a criminal to live". So, Sir, we want to live; the lust for life is there. Therefore, I would request my hon. friend to see that it is given a fair trial. Let us not think that the human mind does not change. We believe that instinctively people are good.

That is my feeling. With this, Sir, I request the hon. Home Minister to kindly see that there is some reform in the jails also. When I think of the

jail I simply shudder. I have seen that there are very good words written.

‘हर एक से प्यार से बोलो’

Exactly in the same place they are beaten. I have seen the wonderful new slogans written in the jails, but we do not find any reforms in the jails. I feel that with the passage of this Bill we must also see that our brothers who are in the jail, who are today unfortunately criminals, are given better facilities.

I feel that a prison is actually meant for the unsuccessful criminals. The successful criminals are never sent to a prison; they remain outside. Let us analyse who is the worst criminal, a small boy or a young man of 21 years who has pick-pocketed something, or a big businessman who has cheated the L.I.C. of a crore of rupees. Therefore, let us see the gravity of the crime. That particular man who has swindled one crore of rupees cannot be changed because it is a calculated crime against society, but this young man who has pick-pocketed a thing can be changed.

Mr. Speaker: While cases are pending on any person, whether rich or poor...

Shri S. M. Banerjee: I have not named anybody.

Mr. Speaker: Anybody can understand what the hon. Member is saying. Let us not say anything about that here.

Shri S. M. Banerjee: I am sorry. I have only said 'swindled'.

Mr. Speaker: That is true.

Shri V. P. Nayar (Quilon): Swindling as such is not a definite offence under the Penal Code.

Mr. Speaker: L.I.C. has been mentioned, 'crore' has been mentioned, 'swindler' has been mentioned—what more is necessary? I have absolutely no interest in the matter. All that I am interested in is, whoever he may be, so long as the law of the land

[Mr. Speaker]

stands let him have an opportunity to say what he likes; let us not prejudice the issue.

Shri S. M. Banerjee: Sir, I have been given only five minutes. I would only request the hon. Minister to consider the other aspect of it. It is a very progressive Bill. This aims at social reform, and this Bill has a moral force. Therefore, I would request that after the passage of this Bill there should be a radical jail reform. It is not enough if there is a reform like changing iron *tashlas* to brass *tashlas*. There must be something more than that. We must actually ask the people there to improve. Let it be an institution to reform those unfortunate persons who have become anti-social elements due to anti-social activities of a selected few in this society.

Sir, this is all my submission. I once again thank and congratulate the Minister for bringing this piece of legislation. As a citizen of India and a Member of Parliament, I will see that the correct spirit is implemented in all its letter and spirit.

Shrimati Ila Palchoudhuri (Nabadwip): Mr. Speaker, Sir, I thank you for giving me this opportunity for congratulating the hon. Home Minister on bringing this Bill. This has the support of everybody who has the good of the delinquents at heart (*Interruptions.*) Certainly, we have the good of delinquents at heart because, if the Government has a duty towards the victims of crimes, surely, Government has also a duty to the people who have been forced into this crime. And, probation, Sir, has been regarded as the modern method of looking at crimes.

There is one thing—there is also a Minute of Dissent on this point—and I hope even at this late stage the Minister will consider it. That is, the mention of “if any” in sub-clause (2) of clause 4 as well as in sub-clause (2) of clause (6). “If any” has no place in this Bill, because the report of the

probation officer is an absolute necessity and without that report probation will hardly work properly.

Apart from probation, one thing that is vitally necessary in India today is the after-care to see that they are trained in various ways of earning a livelihood so that those people may not feel that all doors are being closed to them. This training should be given in such a form that as soon as they are out of prison or have finished their probation they can take their place in the world with a feeling of confidence, and they need not go back to the ways that led them into prison and probation in the past. We need a net-work of such institutions that will train them properly and give them confidence.

Secondly, Sir, we have also to put them under really good psychiatrists, people who will really look into the causes; because even in medicine today prophylaxis is thought to be better than curative medicines. Therefore, in crime also we must look at the antecedents of the offenders and their prevention. Bertini Scallo, the famous Italian lawyer always said: “*Studiare il delinquente Ecco il bisogno*”. You must study the delinquent before you punish him; study his antecedents and give him every sympathy. This Bill, I am sure, will produce this atmosphere.

I hope the scope of this Bill will be possible to be extended even to political prisoners in future, to those who are rotting in jails for many years. There is good material and, perhaps, they might at some time be let out on probation. I hope the scope of this Bill can be widened to include them also.

Lastly, Sir, I earnestly hope that the spirit of the saying will be filled—“if in the day of adversity your strength failed, then your strength was small”—that those whose strength in the days of adversity had failed will feel that the strength of the Government is not small in aiding them in the day of

adversity, and the strength of the Government is beside them to help them to a better life once they come out of probation and out of prisons.

With these words, Sir, I support the Bill.

श्री मू० बा० खन्ना : अध्यक्ष महोदय, इस बिल के बड़े रीडिंग के मौके पर होम मिनिस्टर साहब को खास तौर से बधाई दी जा रही है। जहां तक मेरा ताल्लुक है मैं उन मेम्बरों में से हूँ जो कि अपनी पार्लियामेंटरी लाइफ में हमेशा प्राप्रैसिव लेजिस्लेशन का स्वागत करते आये। लेकिन यह एक ऐसा लेजिस्लेशन है जिसके कि बारे में मेरी भ्रन्तरात्मा यह गवाही देती है कि यह कानून प्रीमेम्पोर है। इससे ऐसे बुरे नतायज बरामद हो सकते हैं और इस कानून से ऐसी टेंडेंसीज और ऐसे खतानात इस देश के अन्दर पैदा हो सकते हैं जो कि जरायम की ओर ले जाने वाले हों और मैं ऐसा डर महसूस करता हूँ कि इस कानून से उनको बढ़ावा मिलेगा।

जहां तक इसके प्राप्रैसिव होने का ताल्लुक है इसमें कोई शक नहीं है कि यह प्राप्रैसिव जरूर है लेकिन इस मौके पर मैं आपके द्वारा होम मिनिस्टर साहब की सेवा में इसके सम्बन्ध में जो २ एप्रिहेंशंस (apprehensions) हो सकते हैं इस कानून के पास होने में, उनकी तरफ इशारा करना चाहता हूँ ताकि उनके सम्बन्ध में ऐहतियात किया जाय। इस कानून के पास करने में क्या २ एप्रिहेंशंस हो सकते हैं उनको मैं एक दो मिनट में आपकी इजाजत से कहना चाहता हूँ।

पहली चीज तो यह है कि २१ वर्ष से कम उम्र के आदमियों को हेबिचुएल प्रीफेंडर्स जुर्म करने के लिये भालाकार बनायेगे

दूसरे इससे यह डर पैदा होगा जैसा कि मैं समझता हूँ होम मिनिस्टर साहब को इसका तजुर्बा होगा और हम में से जो लोग बकालत करते आये हैं या करते हैं उनको और जिनको पब्लिक लाइफ का तजुर्बा है वे जानते हैं कि प्रासीक्यूशन को पुलिस केसेज में बहुत कम शहादतें मिलती हैं और गवाह शहादत देते हुये डरते हैं। इस कानून के पास होने से यह भ्रंदेशा और बढ़ जायगा। मुझे याद है कि डिप्टी होम मिनिस्टर साहब ने इस प्वाएंट का जवाब देते हुये कहा था कि इसमें कोई वजह नहीं है क्योंकि अब भी ८०, ८५ फ्रीसदी मुजरिमान बरी हो जाते हैं या डिस्चार्ज कर दिये जाते हैं और अगर २, ४ फ्रीसदी को इस कानून के तहत और प्रोबेशन पर छोड़ दिया जाय तो क्या फर्क पड़ेगा। लेकिन मालूम ऐसा होता है कि डिप्टी होम मिनिस्टर साहब इस हिन्दुस्तान में एक दुनिया में रहती हैं और हम एक दूसरी दुनिया में रहते हैं। वह कैसे इस बात को भूल जाती हैं कि इस कानून के पास होने से यह खतरा और बढ़ जायगा कि सजा होने के बाद भी किसी मुजरिम को प्रोबेशन पर छोड़ दिया जायगा तो उस हालत में गवाह कैसे गवाही देंगे? वह तो आज भी गवाही देते हुये डरते हैं और इस कानून के पास होने से उनका यह डर और भी अधिक बढ़ जायगा। उस टेंडेंसी को उन्होंने क्यों नहीं अपने ब्याल में रक्खा? कानून पास होने के बाद सरकार की ओर से कुछ इंस्ट्रक्शंस जारी किये जाते हैं कि कैसे उस पर भ्रमल किया जाय और किस ढंग से उसको लागू करें। यह इंस्ट्रक्शंस स्टेट्स की तरफ से जारी किये जाय या हिन्द सरकार उनको जारी करे, इस सम्बन्ध में जो भी ऐहतियात की जा सकती हों वे की जायें वरना एक खासा खतरनाक नतीजा निकलेगा।

[श्री मु० चं० जैन]

एक और वलील दी गई है कि मुजरिम को बीमार समझा जाना चाहिये। ठीक है मैं भी मानता हूँ कि एक मुजरिम को बीमार समझा जाय लेकिन क्या इसका यह मतलब है कि एक प्लेग और हैजे के बीमार को हम सोसाइटी पर लैट लाज (let large) कर दें? ऐसे मरीजों को कोरनटाइन किया जाता है और बाकी और लोगों से उनको अलग रखा जाता है। स तरह के रोगियों को अस्पतालों में भी अलग रखा जाता है। मुजरिमों को जो कि सोशल बीमार है उनको भी अब तक अलग रखा जाता रहा है लेकिन इस कानून की रू से यह बात हटाई जा रही है। कहा जाता है कि इससे सोसाइटी को बहुत ज्यादा फायदा होने वाला है। लेकिन बाबजूद इस बात के कि मैं हमेशा हर प्रोबेशन लेजिसलेशन का हिमायती रहा हूँ, इस कानून के बारे में मेरे मन में अन्देश है। पहले ही हमारे देश में करप्शन के बारे में बहुत चीमगीइयां हैं। करप्शन बढ़ा है, कम हुआ है या उतना ही है, इसके बारे में मुस्तलिफ राय है। लेकिन करप्शन देश में है इस में कोई शक नहीं है। अब जूमों में पैसे वाले भी फंस सकते हैं और गरीब भी। यह जरूर है कि पैसे वाले कम फंसते हैं, वह किसी न किसी स्टेज पर छूट जाते हैं। अगर कोई पैसे वाला फंस गया तो इस एक्ट की वजह से प्रोबेशन आफिसर की सिफारिश पर उसको दूसरा चांस मिलेगा और इस तरह से उसको फायदा होगा, और जो गरीब आदमी फंसेगा उसको बहुत कम फायदा होगा। तो मेरा प्वाइंट यह है कि जो आलरेडी देश में करप्शन है इस कानून की वजह से और बढ़ेगी। यही मुझे अन्देश है।

आखिरी बात में यह कहना चाहता हूँ कि हमारे यहां पब्लिक में पहले से ही एक खास फीलिंग है। हमारी संस्कृति में

ईश्वर के तीन रूप माने गये हैं, यानी ब्रह्मा, विष्णु और महेश। ब्रह्मा पैदा करने वाला समझा जाता है, विष्णु पालन करने वाला और महेश ईश्वर का वह रूप है जोकि संहार करता है। ऐसे ही हुकूमत के भी तीन रूप होते हैं और हुकूमत के तीसरे रूप के मानी यह होते हैं कि वह गलत काम करने वालों को सजा देती है, न-डिसिपलिन (indiscipline) करने वालों और unsocial elements को सजा देती है। तो जो लोग हमारे देश में गलत तरीके से पनप रहे हैं उनको हुकूमत को स्ट्रांगली डील करना चाहिये। इस बारे में देश में आम लोगों में यह भावना फैल रही है कि इन गलत किस्म के लोगों को जितनी मजबूती से डील करना चाहिये वैसा नहीं किया जा रहा है। यह भावना आम लोगों में गांभों में रहने वालों तक में फैली हुई है। उनमें यह फीलिंग न बढ़े हमको ऐसा भी यत्न करना चाहिए। इस कानून से यह feeling और बढ़ेगी?

इन शब्दों के साथ मैं इस प्राप्रेनिव लेजिसलेशन के नाते तो समर्थन करता हूँ यूनाइटेड नेशनल संस्था ने भी इसकी सिफारिश की है। इन्स्पेक्टर जनरल की मीटिंग हुई उसमें भी यह सिफारिश की गई थी तभी यह एक्ट पेश किया गया लेकिन जो मुझे अन्देश है उसकी तरफ भी सरकार को ध्यान रखना चाहिये यह मैं चाहता हूँ।

श्री सिंहासन सिंह (गोरखपुर): अध्यक्ष महोदय, इस विधेयक को यहां प्रगतिशील कहा जा रहा है, लेकिन वास्तव में इसका क्या परिणाम होगा यह कुछ विचारणीय वस्तु है। हम देखते हैं कि हमारे देश में कुछ राज्यों में इस तरह के उन के अपने विधेयक भी मौजूब हैं। वह भः वहां लाबू रहेंगे और वह राज्य चाहे तो इस विधेयक

को अपने यहां लागू करें या न करें। हम इस विधेयक को यहां पास करते हैं और राज्यों को यह छूट देते हैं कि वे इस को अपने यहां जब से चाहें लागू करें। अब उत्तर प्रदेश में जो विधेयक मौजूद है उसकी धारारें इस से भिन्न हैं। हो सकता है कि उत्तर प्रदेश इस को लागू न करे। बम्बई में भी यह मौजूद है और मद्रास में भी है। यानी बड़े बड़े राज्यों में इस तरह के कानून मौजूद हैं। वे चाहें तो अपने यहां इसको लागू न करें। ऐसी हालत में जो इस प्रगतिशील विधेयक के लिए हम यहां धन्यवाद दे रहे हैं वे ज्यों के त्यों अपने स्थान पर रखे रह जायेंगे। अच्छा होता यदि इस विधेयक को पास करने से पहले सब राज्यों से अनुमति ले ली गई होती और यह सब राज्यों में समान रूप से लागू होता। यह अधिक उचित होता। अब राज्यों में अपने इस तरह के कानून हैं और यह भी कानून है। इन की धाराओं में भिन्नता है। तो यह कोई अधिक शोभनीय बात नहीं मालूम होती।

दूसरी बात यह है कि जैसा कि मेरे पूर्व बक्ता ने भी कहा है, इस से २१ वर्ष के नवयुवकों को एक स्वतंत्र छूट मिल जायेगी कि उन को सजा नहीं होगी। अब यह होगा कि अगर अफसर सजा करना चाहे तो वह रीजन दे कि वह क्यों सजा करना चाहता और क्यों छोड़ना नहीं चाहता। अब तक तो यह होता था कि अफसर को छोड़ने के लिए रीजन देना होता था कि वह क्यों छोड़ रहा है और सजा क्यों नहीं कर रहा है। अब उस सजा देने के लिये रीजन देना पड़ेगा। तो जैसा इंग्लैंड माइन्ड है उसको देखते हुए यह ज्यादा दुष्प्रकार होगा कि अफसर भी ज्यादातर छोड़ ही दिया करेगा क्योंकि अगर वह सजा करता है तो उस को उस के लिए रीजन देना होगा। तो इस तरह से २१ वर्ष के युवकों के लिए आप एक तरह की छूट दे रहे हैं।

अभी मेरे भाई ने कहा कि जो विभाग के रोगी होते हैं या और रोगी होते हैं उनको भलग रखकर इलाज किया जाता है इसी तरह से इन लोगों का भी सुधार किया जाये। लेकिन हम ने देखा यह है कि कहीं कहीं बड़े बड़े भादमी अपराध करवाते हैं। मैंने एक बार गोरखपुर जेल में एक १४ बरस का लड़का देखा जो कि १३ बार जेल में आ चुका था। उसका काम यह था कि रेलवे स्टेशन पर जाकर माल उठा लाया करता था और उस को किसी के यहां रख दिया करता था। तो बहुत से महाजन इस प्रकार की चोरी करवाते हैं और वे खुद पकड़े नहीं जाते। अब आप ऐसे लड़कों को प्रोबेशन पर रखिये तो फायदा नहीं हो सकता। उनको तो रिफारमेटरी स्कूल भेजा जाना चाहिए तो उनका सुधार हो सकता है।

इस तरह से भी बहुत से अपराध होंगे कि नवजवान लोग एक दूसरे पर हमला करेंगे। हम ये परिवर्तन करने जा रहे हैं पर हम ने यह विचार नहीं किया है कि इस प्रकार के कानून के लिये अभी समाज तैयार है या नहीं। आज भी यद्यपि हम सोशलिस्ट पैटर्न की बात कहते हैं, समाज में उतना ही गतिक्रम मौजूद है जैसा पहले था। आज भी बनी और गरीबों, भूलमरों और ज्यादा खाने वालों में पहले जैसा ही अन्तर मौजूद है। आज भी इस देश में ऐसे लोग मौजूद हैं जो खाना पचाने के लिये दवा खाते हैं और दूसरी तरफ ऐसे लोग हैं जो खाने के बिना मर रहे हैं। हमको पहले अपने देश के आर्थिक स्तर को ऊंचा करना चाहिए था। आखिर आप देखें कि भादमी चोरी करता ही क्यों है। चोर दो तरह के होते हैं। एक तो वे हैं जो बेजा तौर से धन इकट्ठा कर के बड़े भादमी बनना चाहते हैं, जैसे ब्लैक मारकेटियर और दूसरे बड़े बड़े भादमी।

[श्री सिंहासन सिंह]

घाज सवेरे सवाल उठा था कि मोटर वालों को क्यों लाइसेंस दिया गया। तो कुछ बड़े बड़े आदमी ज्यादा खनी होने के लिए चोरी करते हैं। दूसरे वे हैं जो खाने के लिए, अपना पेट भरने के लिये चोरी करते हैं। ऐसे चोर भी बड़े लोगों के यहां कम पहुंच पाते हैं, छोटी-छोटी के यहां ही चोरी करते हैं। इन चोरों को जो अपने पेट के लिए ही चोरी करते हैं जरूर कुछ रियायत मिलनी चाहिए। ये लोग छोटे लोगों के लिए ही चोरी करते हैं यहां ही चोरी करते हैं, एक छोटा मोटा आदमी दूसरे के यहां चोरी करता है। अगर समाज की आर्थिक अवस्था ठीक हो और इस लोगों को शिक्षा हो और इन को खाने को मिले तो ये अपने आप चोरी करना बन्द कर देंगे।

अभी हमारे भाई ने रूस के बारे में कहा। पता नहीं वहां पर यह कानून है या नहीं। वह कहते हैं वहां चोरी नहीं होती। उसका कारण यह होगा कि वहां दंड कठोर है और दूसरे सब को खाने पीने को मिल जाता है। इसलिए वहां चोरी नहीं होती। लेकिन वहां प्रोवेशन का कानून नहीं है। तो राज्य का काम ठीक तरह से चलने के लिए दो एलीमेंट बहुत जरूरी हैं एक तो यह कि न्याय की भाशा हो और दूसरा यह कि दंड का भय हो। न्याय की भाशा का तो यह हाल है कि चारों तरफ लोगों को यह ब्याल हो गया है कि सिफारिश से ही काम चलता है और दंड के भय को हम इस विधेयक के जरिये कम किये देते हैं। फिर कोई दंड का डर ही नहीं रहेगा।

घाज कल भी बहुत से लोग समझते हैं कि जेल तो स्कूल हो गया है। वहां खाना अच्छा मिलता है। जिन लोगों को बाहर जाना नहीं मिलता वह समझते हैं कि जेल

में खाना तो मिलता है। वह सोचते हैं कि अगर बाहर जाना नहीं मिलता तो जेल में चलो। तो ऐसे लोगों को भी आप प्रोवेशन देकर जेल की रियायत से महसूस करेंगे। जहां तक इस विधेयक को लागू करने का सम्बन्ध है वह काम स्टेट्स पर छोड़ दिया गया है। मैं सरकार का ध्यान इस बात की तरफ दिलाना चाहता हूं कि इस विधेयक के अधीन जो नियम बनेंगे उन को स्टेट्स बनायेंगी। उन नियमों के बनाने में कभी कभी तो इतनी देर हो जाती है कि कानून ही बेकार सा हो जाता है। इसलिए यह जरूरी है कि नियमों को जल्दी से जल्दी पार्लियामेंट में या राज्यों की विधान सभाओं में रखा जाय। सर्वाइजिंग लेजिस्लेशन कमेटी में हमारे पास ऐसे केस आये कि केन्द्रीय सरकार ने किसी विधेयक के जो नियम बनाए वे चौ-छाई साल के बाद इस सदन के टेबल पर रखे गए। नियमों को भवन के सामने रखने में कभी सात महीने लग जाते हैं कभी आठ महीने लग जाते हैं और कभी दो दो बरस लग जाते हैं। इस तरह बहुत दिक्कत होती है। इस वक्त यहां पर ला मिनिस्टर भी बैठे हैं डिप्टी होम मिनिस्टर भी बैठे हैं और दो चार दूसरे मिनिस्टर भी मौजूद हैं। मैं उन को कहना चाहता हूं कि जो विधेयक यहां पर पास किये जाते हैं उन के जो नियम बनाए जायें उन को जल्द से जल्द भवन के सामने लाया जाय ताकि सर्वाइजिंग लेजिस्लेशन कमेटी को उन्हें देखने और अपनी राय प्रकट करने का मौका मिले। आप दो दो बरस मौन धारण कर लेते हैं और पार्लियामेंट कुछ नहीं कर पाती है।

जहां तक इस विधेयक का सम्बन्ध है इस के नियम इस सदन के सामने नहीं आयेंगे। वे राज्यों की विधान सभाओं

के सामने जायेंगे । यह भी इस में एक लाक्युना मालूम होता है कि संसद कानून बनाए और उस के नियमों पर वह विचार न कर सके । वह हमारे अधिकार से बाहर हो गया है । इस कानून के लागू करने में हमारा कोई हाथ न हो, उस को देखने में हमारा अधिकार न हो यह ठीक नहीं मालूम होता है । इस स्टेज पर तो इस बिल में अमेंडमेंट नहीं हो सकती है । इस के नियम राज्यों की विधान सभाओं में ही जायें लेकिन इस बात का ध्यान रखा जाना चाहिए कि जो नियम बनें वे जल्द से जल्द विधान सभाओं की टेबिल पर रखे जायें ताकि सर्वाइजेंट लेजिस्लेशन कमेटी यह देख सके कि कानून के उस रूप है या नहीं ।

इन शब्दों के साथ मैं अपने वक्तव्य को खत्म करता हूँ और इस बिल को सपोर्ट तो करता हूँ ।

Shrimati Alva: Mr. Speaker, Sir, most of the arguments advanced just now have been answered when the Bill was taken up for consideration. However, the question of age has been raised again and again. I gave my explanation yesterday how the age of 21 has been decided on, how it is a narrow age range and is an age range that falls within the rights of the Inspector-General of Prisons and how the youthful offenders could be removed from the prison and taken over to the borstal schools or certified schools.

Then, an hon. Member from the Opposition—I think it was Shri Banerjee—stated that the jails should be reformed. I do not mind giving some casual thought to the arguments that he had advanced. But this measure has nothing to do with jails and jail reform; this is the Probation of Offenders Bill. Jails are not under our discussion or under our scope today. However, let me assure him

that the jails have reformed very much. I do not know which jail here refers to, because I have also been seeing these jails from the olden days, when we saw the jails in another aspect. But we are watching the jails. In fact, we are bringing our reforms so fast in the jails that some charges are levelled that we are giving to our prisoners luxuries which they do not get in their villages when they go back. We are facing even that charge to day. So, in the face of the reforms that we are carrying forward, I do not see how these arguments could carry weight.

Shri S. M. Banerjee: I did not mention about the model jail in Delhi.

Shrimati Alva: I am not referring to the model jail either. I am referring to the other jails in the country which I have seen recently. A model jail will be better than all the other jails, which are also very good jails. We are trying to make, better and better models for our prisons.

Now, I will come to the victims of crime. The offender himself is the victim of crime in more cases than not. As it was argued by Shri Sinhasan Singh, because of the socio-economic conditions, a person is tempted, or is driven, to commit an offence. There, he himself is a victim of his circumstances, of his environment. In such a case, under the Probation of Offenders Bill, for the victims at the hands of the offender we have a clause for compensation. Of course, there was also the criticism that the compensation would not be adequate. But what kind of adequacy can be given, even if we permit under this law, for compensation, if it becomes infructuous? Because, the type of offender that we have in view may perhaps never be able to pay any kind of compensation. Therefore, that kind of argument does not hold good.

Then, again and again the question of "after-care" has been brought in. It was originally raised by you from the Chair. But after-care is not within the scope of this Bill at all. After

[Shrimati Alva]

care is for those people who come out of the correctional institutes. Probation is for those who will not go to any institutes of correction, be they certified schools, be they borstal schools, be they any other form of correctional institutes. So, this problem of after-care does not fall within our purview this afternoon. After-care is a separate thing. It has got adequate attention and money in the Second Five Year Plan. By this probation we do not want to send any offender, as far as possible, to any institution, be they correctional or educational. What we want to do is to plant him back into his own groove, where he lives; where he will be given a chance to live. We do not want to change the environment; we do not want to change his life. We only want that he must come under the control of a probation officer. The probation officer is not, as some members here feel, a CID or police officer; he is like a guardian. I do wish that members would be impressed that a probation officer is not a police officer. He is a missionary or guardian of the offender. I have at length stated how the Children Acts are working in the different States.

Then, Shrimati Ila Palchoudhuri referred to political offenders. In a free country, I do not know the meaning of "political offence". We have the rule of law and he who breaks the law must bear the consequences. So, I do not think that it comes within the scope of the Probation of Offenders Bill. If anyone breaks the law, it will be considered by the court whether he needs probation or imprisonment.

Then they said that we are bringing in something so very wide that the results would be, shall I say, widespread and rampant and the criminals would be running amuck in our streets and homes. I do not know why the House is inclined to forget that there is already a provision for probation in the Criminal Procedure Code—section 562. Having noted that,

I do not know why they go on arguing this subject, saying this is a new measure. This is not a new measure. We are trying to improve on what we have already got in our common law.

Then, some other hon. Members said that there is delay caused by the States after framing the rules in laying them on the Table of the House. Let them ask their Legislative Assemblies about the delay. Each hon. Member belongs to a constituency in a particular State. If you are so keen to know how this law is going to operate, well, the rules will be laid on the Table of the House in the State Assemblies; not here. But if any particular member wants to have any particular rule, we shall request the State to give us the rules. But you should really go to the States, as this relates to States. How can we take it on ourselves to lay it on the Table of the House? It is impossible. We can call for them. We can study them. We can mutually discuss them with the States but we cannot undertake that. Each State is given the freedom. Most of the States have this law. The probation law is already functioning. It is being enforced. It is existing in the various States. So, I do not see how this hampers the thinking of the hon. Member that the rules do not come here for two years and five years. These rules will never come here. It is for the hon. Member who is interested in the probation of offenders to see how it operates. You can go to your States and call for these rules. They are already there. In most of the States the rules are already there. They are operating. The probation officers are already there. The probationers are already there. Therefore there should be no difficulty on that count.

Then there is only one more point—I do not know how it was brought in—regarding that clause in which it is said "the report of the probation officer, if any". Now, we have kept this phrase "if any" because it is going to be a very big measure and we do not want to give a certain amount

of laxity to our States to equip themselves with the proper machinery so that they could enforce them in the best manner. "If any" we have kept because it will take a long time for some of the States and some parts of some of the States where the law is already in operation. It will take some time. In that sense we have left it to the court, and at every turn we want to leave it to the court at its discretion to give probation to an offender or not. Now a reflection has been cast on the probation officers and I regret very much that we begin reflecting on the machinery when we are going to have it for the morrow. We think that there is widespread corruption in the country and so every probation officer will be corrupt and every probation officer will bring some kind of pressure on the offender and spread corruption more and more. I do not think so. From what I have seen in practice, specially where the Children's Acts are in operation, I think the probation officer steps in as a real guardian of the child even in a more fitted manner than the parents—the father and the mother—in many cases. Here I want to assure the House, because I have seen the Children's Act operating in the city of Bombay for the last five or six years, and I do want to state in this House that without the probation officer, the Children's Act would not operate and the children would not be re-instituted in their families and rehabilitated into society. Therefore there should be no fear on the count that we are going to have probation officers that are going to be corrupt. It is true that we want to take the best element out of society and let them do the probation work. For that you have, of course, to be morally correct. You have to be physically sound and you have to be mentally alert. We do not deny these things, but then we also know that there is this element available in the country and why we should not call upon this element to take up this progressive measure and to help us

in carrying out its provisions in the various parts of the country.

Shri D. C. Sharma (Gurdaspur): The hon. Minister said that some of these probation officers are better than the parents of the children. I do not know what she means by it.

Shrimati Alva: I do say that. I have seen it.

Mr. Speaker: Hon. Member knows how mothers are treating children. A probation officer is as good as the mother.

The question is:

"That the Bill as amended, be passed."

The motion was adopted.

BOMBAY, CALCUTTA AND MADRAS PORT TRUSTS (AMEND- MENT) BILL—contd.

Mr. Speaker: Shri S. K. Patil to continue his speech.

The Minister of Transport and Communications (Shri S. K. Patil): There was no speech but a point was raised when I moved that this Bill should be taken into consideration as to whether the Bill was a money bill within the meaning of Article 110. A question was asked whether the Government of India will have to give any guarantee and I said that some kind of a guarantee has to be given. The question, therefore, arose whether that brings the Bill within the purview of Article 110. Then, of course, I had to examine that guarantee and therefore I said that it should be held over till today as there were some question raised here.

I feel now on examination that this Bill in the present case seeks merely to regulate the powers of the three Port Trusts to borrow money from sources outside India. The borrowings will be made by the three autonomous bodies that these Port Trusts are the only restriction which is sought to be imposed by the Bill being that the terms and condition of

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such loans should have the previous approval of the Central Government. Nothing is said in this Bill itself about the guarantee to be given by the Government of India. Therefore, having regard to the wording of Article 110(1) the Bill is not a money bill and that it does not fall within its purview. The guarantee that the Government of India give, as has been given in many such cases, is of an executive character.

The Minister of Law (Shri A. K. Sen): Under executive powers.

Shri S. K. Patil: Therefore that does not come but in any case the question arises whether the money is to be spent at any time out of the Consolidated Funds of India. Then alone it can be argued that the permission and the usual procedure of a money bill should have been followed. Under Article 104(3) no money shall be withdrawn from the Consolidated Funds of India except under appropriation made by law. Therefore whether the guarantee is given in the Bill itself even if it were given, and whether it is given in the exercise of executive power as such may come in when money will have to be paid out of the Consolidated Funds of India to discharge the liability. At that stage Parliamentary approval is actually obtained for the discharge of the liability. Now, that is a contingency that we are not envisaging so far as the present Bill is concerned. It makes no reference whatsoever to this particular point of the guarantee and therefore it does not fall within the purview of Article 110(1). It can therefore be proceeded with and there is no substance in the point of order that has been raised.

Shri V. P. Nayar (Quilon) rose—

Shri A. K. Sen: May I add a few words?

Mr. Speaker: Yes or would the hon. Minister wait till he hears some hon. Members?

Shri V. P. Nayar: I want to submit that the interpretation of Article 110

as now given by the hon. Minister seems to be something novel and which the Constitution makers never intended.

Mr. Speaker: Now, does the hon. Minister say that there will be a guarantee for these loans by the Central Government? Let us be sure about the facts. Whether there is no guarantee at all is not specifically mentioned in the Bill. I thought all this controversy arose on account of the statement by the hon. Minister, which I read from the records, that it means a guarantee and that for these borrowings permission has got to be sought and the loans have got to be guaranteed by us. If loans are to be guaranteed by us, if specific reference is made to the guarantee in the Bill it would not be contended that it does not come under Article 110(1) (b). On the other hand, if there is going to be guarantee of the loans but we are not going to introduce this in this Bill, it may take away the jurisdiction of this House and also vest the jurisdiction in the Rajya Sabha by not making it a money bill thus enlarging the jurisdiction of the other House which it has not and curtailing the jurisdiction of this House which it has and then indirectly by executive order go on guaranteeing. I am afraid once there is a policy that a guarantee is contemplated how is that guarantee not put into the Bill, and by appropriation over the head of the Parliament why should the executive exercise its right. I am not able to follow that.

Shri A. K. Sen: It is only an enabling provision. At the same time it limits the authority of these autonomous bodies in the matter of borrowings. It enables these autonomous bodies to borrow money outside India from the International Bank and so on subject to the provision that the sanction of the Central Government is given. The power is a limited power. If in a particular case, the International Bank asks for the

guarantee of the Government and the Government feel that it is a fit and proper case in which a guarantee should be given, it may be given. But that has nothing to do with a Bill. If you come to Article 110, let us examine it because I have argued this point before you before also....

Mr. Speaker: My only point is that you avoid its coming under Article 110 by removing the word "guarantee". As a matter of fact, you are going to do so.

Shri A. K. Sen: It is done in hundreds of cases. If you will go on to Article 292, it is contended that the Government can only guarantee by bringing a Bill....

Mr. Speaker: My point is narrow. You need not bring a Bill, as a matter of fact, for loans and borrowings. The executive authority borrows and it can also guarantee. But once a Bill is brought and it involves a guarantee for enabling a particular person to raise a loan and it involves a guarantee on the part of the Central Government, should they take advantage of Article 292, ignoring this power?

14 hrs.

Why don't you bring it in the Bill? I do not say that a Bill is necessary for borrowing, not even for guaranteeing. When once there is a Bill authorising a local body or a Port Trust to borrow involving this House or the Government in the matter of guaranteeing—guaranteeing means ultimately paying back—why don't you include it in the Bill? Why take away jurisdiction and all that? I am putting the question. I will come to the hon. Member. It is not as if it is obligatory to bring a Bill. Once there is a Bill,—it involves also guaranteeing at a future date—why don't you introduce it and seek the permission of the House to allow that portion?

Shri A. K. Sen: May I deal with the whole matter? I personally do not feel that there is any basis for suggesting that the Government is trying to do something indirectly which it cannot do directly.

Mr. Speaker: No, no.

Shri A. K. Sen: Let us examine first the scope of article 110. Reading it once again, it says:

"For the purposes of this Chapter, a Bill shall be deemed to be a Money Bill if it contains only....."

I had addressed you earlier on this; there is a good deal of significance on the word 'only'.

"provisions dealing with all or any of the following matters, namely—

We are really concerned with clause (b). Therefore, the Bill must be one dealing only with—

"(b) the regulation of the borrowing of money or the giving of any guarantee by the Government of India....."

First of all, this Bill has nothing to do with the regulation either of borrowing of money by the Government or the giving of any guarantee by the Government. It does not purport to do it at all.

"or the amendment of the law with respect to any financial obligations undertaken or to be undertaken by the Government of India;"

It must be, secondly, an amendment of an existing law which really is concerned with any financial obligations undertaken or to be undertaken by the Government of India. It does not purport to do any such thing. What is suggested is that if these powers are given to the Port Trust authorities, in certain cases, the Government may in its discretion feel like guaranteeing the loan for which there may be application, as it happens in so many cases. You will remember that this Parliament passed an Act combining the Indian Iron and Steel Co., and the Steel Corporation of Bengal, in order to facilitate certain works for which the World Bank had granted loans. The loans were

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ultimately guaranteed by the Government. The Bill has nothing to do with the regulation as to how the Government should guarantee loans or how the Government should borrow money. I cannot see how article 110 has any application in this matter.

Shri Narayanankutty Menon: (Mukandapuram): What about (d)?

Shri A. K. Sen: Let us deal them with one after another. I hear a voice, what about (d). Clause (d) deals with the appropriation of moneys out of the Consolidated Fund of India. This Bill has nothing to do with appropriation of any money. It confers certain powers on certain autonomous bodies to raise loans in certain conditions. If and when they have raised such a loan and if and when the Government thinks it fit in a particular case to guarantee such a loan, what will happen? This Bill has nothing to do with. If it was a Bill only concerned with regulating how the Government should guarantee loans raised by autonomous corporations like the present one, I can understand the force of such a contention. I fail to see how article 110 can be attracted in and of this point of order.

Shri T. K. Chaudhuri (Berhampore): May I point out...

Mr. Speaker: Order, order; what is the hurry?

Shri A. K. Sen: It must be only concerned with a law trying to regulate the borrowings by the Government or guaranteeing by the Government. This Bill purports to do nothing of the sort. On the contrary, it confers certain limited powers on certain autonomous bodies to borrow moneys. Whether after they exercise that power, in a particular case, the Government may be called upon or feel called upon to guarantee such a loan is a matter with which this Bill is not concerned at all. Nor does this Bill seek to control or regulate such guarantees. If only the Bill seeks to regulate the power of guaran-

teeing, then, I can understand article 110 being attracted. Otherwise, the Government in its discretion is fully entitled to guarantee any loan that it thinks fit. If Parliament thinks that it can be regulated, it can bring a law and for such a law, the consent of the President is necessary.

Mr. Speaker: What is the article of the Constitution under which Parliament should pass an Act empowering the Port trusts to borrow?

Shri A. K. Sen: There are already the Port Trust Acts, Central Acts. The existing Acts are now being amended by inserting a provision seeking to incorporate a limited power of borrowing. That is the purport of this Bill. Take clause 2. In the Bombay Port Trust Act, which is a Central Act, this provision has to be inserted.

Mr. Speaker: Is there any provision that it ought not to borrow?

Shri A. K. Sen: There are various limitations.

Mr. Speaker: That they shall not borrow by themselves?

Shri A. K. Sen: Not from outside.

Shri T. K. Chaudhuri: No, no.....

Mr. Speaker: Order, order.

Shri A. K. Sen: The power of borrowing is strictly limited and completely absent in regard to borrowing outside the country. They have no power to borrow outside the country. They could only borrow, as you know, by issuing debentures inside the country under the statutory conditions laid down. That power is now being granted subject to the sanction of the Centre. How is it a case of a Bill trying to regulate the power of guaranteeing? As I said, under the Constitution, under article 292, the Government has power to guarantee and if Parliament chooses to bring a Bill to regulate that power of guaranteeing and the power to borrow, and if that is the only provision of the

Bill, I can understand article 110 being made applicable. Simply because the power is granted and the Government may, if it thinks proper, feel called upon to guarantee, therefore article 110 is attracted—frankly speaking, I have not been able to understand that argument.

Shri V. P. Nayar: The hon. Minister said that the Bill has no provisions which intend to regulate borrowings as is covered by sub-clause (b) of article 110, and that he cannot understand the point of order. As you read article 110, you will find that the Constitution-makers have defined specific matters which would turn an ordinary Bill into a Money Bill. From clauses (a) to (f), you see a Bill which otherwise is an ordinary Bill, would be converted into a Money Bill by virtue of certain qualifications. The Constitution-makers did not stop there. They went on to include along with specific matters, certain other matters which are not specifically referred to as such. That is to say, in sub-clause (g) of the same article, they say, 'any matter incidental to any of the matters specified in sub-clauses (a) to (f).' I concede the point of the hon. Law Minister that by itself it does not regulate borrowing. But, the hon. Law Minister himself and the hon. Minister who spoke earlier said that possible at a future date, there may be borrowing. I do concede that under article 292 there is power for the Government to borrow. This is very rightly observed in the Statement of Objects and Reasons, that the Government have inherent power. Under the Madras Port Trust Act which is a Central Act, at present there is power to raise money internally. We are now amending this particular clause to enable them to borrow money from outside. We are committing the Government of India although the Government of India has power to borrow. It is, I submit, in this context that the word 'incidental' has a very peculiar meaning. It includes several other things which are not specifically provided for. It

should not be construed that the word "incidental" is a grammatical variation in the ordinary sense of the word "incident", just as you say rent is incidental to residence.

Mr. Speaker: Is it not *ejusdem generis*?

Shri V. P. Nayar: It is not. They have specified certain conditions which would normally make a Bill a Money Bill, in which case it cannot originate in the other House, and it is mandatory that the President's sanction should be obtained. Therefore, I say that in the abundance of their wisdom, the framers of the Constitution have included sub-clause (g) to cover matters incidental to any of the matters specified in sub-clauses (a) to (f). Why should there be this sub-clause at all if in the sub-clauses from (a) to (f) the framers had exhausted all the provisions whereby a Bill would become a Money Bill? I submit the word "incidental" must not be read in accordance with the meaning as it is commonly understood. The word "incidental" has a very peculiar meaning which makes the scope of this very wide. Any Bill which has a provision which is in any way related to, or which will have a possible bearing on any of the provisions enumerated above, namely sub-clauses (a) to (f), will naturally attract the provisions of sub-clause (g), and therefore will make it a Money Bill making the President's consent essential. Otherwise, there was no necessity for this Bill to originate in this House. The other House was sitting.

Mr. Speaker: Though it does not come under article 110, it comes under article 117. Is that the hon. Member's point?

Shri V. P. Nayar: It comes under article 110(1)(b) read with article 110(1)(g). Sub-clauses (a) to (f) are specific conditions which make a Bill a Money Bill. They do not stop there. They also include some other matters—any matter (The hon. Minister

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cannot say that this is any matter incidental to any of the matters specified in sub-clauses (a) to (f). You cannot by any stretch of the imagination take it away from the provisions of sub-clauses (a) to (f) because they are incidental.

I would only say that the word "incidental" has a particular meaning in this context. It must be differentiated from the word "incident" as you normally use it.

The hon. Ministers themselves stand committed to it because they say that at a future date, although article 110(1)(b) will not be offended against, there is a possibility of this particular legislation leading to a separate loan being raised from outside India.

Therefore, I submit that although it may not be strictly confined to the scope of a Money Bill as defined in article 110(1)(b) in so far as any guarantee is not specifically provided for under this particular enactment, it does come within the scope of sub-clause (g) which has been included in the Constitution with a specific purpose, viz., to restrict the scope of the discussion of any Bill which can be considered to be a Money Bill.

Therefore, I submit that the point of order should be upheld.

Shri T. K. Chaudhuri: I would draw your attention and the attention of the House to certain very pertinent and material facts which, I would not say deliberately, but somehow or other escaped the attention of the hon. Ministers.

I do contend that the specific purpose of this Bill is to enable the Government, or to empower the Government, to give guarantees for the loans to be raised by the different port trusts mentioned here from the International Bank. Of course, incidentally some other banks have also been mentioned in a general way, but this Bill has become necessary because under the Charter of the Bank for International Development and Reconstruction it is

obligatory that all loans which are made to institutions which are not Governments have to be guaranteed by the Governments of those countries, and India being a Member of the World Bank cannot escape from that obligation.

It is just not an incidental matter that as and when the time arises the President by virtue of his executive power will guarantee certain loans. Here, the specific purpose of this Bill is to enable the Government to guarantee these loans, which guarantees are obligatory. The International Bank cannot make any loans, would not make any loans, particularly the loans which have been negotiated by two of the port trusts, unless the Government gives guarantees. That is obligatory.

I may draw the attention of the House to a publication of the World Bank. Unfortunately I could not obtain the articles or the Charter of the World Bank, but here is an official publication of the Bank—The International Bank for Reconstruction and Development—Policies and Operations—in which, at page 55, it is specifically said: "If the prospective borrower is not a Government, the Bank requires an indication from the Government that it will guarantee a loan for the project before starting any serious investigation".

In the Statement of Objects and Reasons it has been specifically mentioned that the Calcutta and Madras Port authorities have negotiated loans from the International Bank to cover the foreign exchange expenditure on the development projects, but these loans cannot take effect, cannot be made or would not be made by the Bank unless the Government gives guarantee.

In the Explanatory Memorandum of the General Budget we have a list of the loans that have been made by this Bank to us, and here you will find as also in the publication which I have just now quoted that. . .

Mr. Speaker: It is not denied that you will have to give a guarantee to the International Bank for any loan raised by the Port Trusts. That guarantee, they say, they are entitled to give under article 292 in exercise of their executive power. If that guarantee is introduced in this Bill, certainly it becomes a Money Bill, but under article 292 it is not obligatory for them to introduce a guarantee clause. It may flow out of it, but it is in exercise of the executive power. We might call it the moral obligation of the Government, but when a Bill is introduced, is it obligatory on their part to give a full view of the guarantee in the Bill itself? Is it obligatory on them to include the guarantee also in the Bill and take the assent of the House? That is the simple point. It is understood that without a guarantee not a pie will be given by the International Bank. They are not saying anything against it, but inasmuch as no specific provision is made in this Bill, could we say it involves a guarantee merely because it involves a guarantee later on. This is not a case where there is a provision relating to guarantee, but independently of this Bill, the Government exercises its right under article 292 to give guarantees. Can we say the guarantee must be introduced in this Bill, and if it is so introduced it comes under the mischief of article 110(1)(b) and therefore it becomes a Money Bill? They say they are not bound to bring it. Are hon. Members able to say that every loan or every guarantee shall be given only with the assent of Parliament, and any bill which invokes it comes under article 110? I am not able to follow.

Has the hon. Member anything more to say?

Shri T. K. Chaudhuri: Yes. I have some more points to urge. If we understand the purpose of this Bill to be to obtain the sanction of Parliament for the guarantees that Government are going to give, I fail to see the purpose of this Bill at all. I want to draw your attention...

Mr. Speaker: There is no doubt; they are going to give a guarantee, and without a guarantee, the International Bank may not pay. Let us assume that. All the same, Government say that this Bill does not contain any provision for that; this guarantee is not by virtue of this Bill, but independently of it, under the right that is granted to the executive to borrow or to give a guarantee under article 292 of the Constitution. Therefore, in the absence of a specific provision, this Bill does not come within the purview of article 110. Am I right?

Shri S. K. Patil: Yes.

Mr. Speaker: Therefore, the hon. Member must satisfy the House about it.

Shri A. K. Sen: My point, as you will remember, was that if you want to regulate the President's power by a Bill in Parliament, then you have to take the assent of the President under article 110.

Mr. Speaker: He did not mean generally, but only here, with regard to regulation etc. Specifically, you do not want to have this House regulate it under this Bill. You may consider all those occasions, where without regulation, nothing is going to be done. You are not going to allow the Port Trust to borrow as it likes. Guarantees, regulations and various other things will be done. All that the hon. Members say is 'Why do you not consult this House and the Parliament? Why do you not introduce that provision here relating to regulation etc. and why do you go on guaranteeing over the head of Parliament?' But, unfortunately or fortunately, there is article 292. I am only anxious to know the interpretation of article 292.

Shri Naushir Bharucha (East Khadesh): In the first place, let us assume that Government are going to give a guarantee. Knowing full well that they are bound to give a guarantee, if they bring in a Bill without the guarantee clause, I say that that is what is known to law as fraud on

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the Constitution. And 'fraud on the Constitution' is a phrase which has been used by the Supreme Court itself; where you so manipulate the clauses in the Bill that you avoid the mischief of certain articles, that is called fraud on the Constitution. I, therefore, submit that if we accept this position that Government are going to give a guarantee then the Bill as it stands is a fraud on the Constitution, and on that ground, it should be ruled out.

The second point that I am making is this. They say that they can give a guarantee under article 292. My submission is that article 292 does not apply at all. Let us see the exact wording of that article. It reads thus:

"The executive power of the Union extends to borrowing upon the security of the Consolidated Fund of India within such limits..."

But here, it is borrowing not on the security of the Consolidated Fund of India but on the assets of the Port Trusts. The guarantee which this article speaks is only of money borrowed by Government upon the security of the Consolidated Fund of India

"within such limits, if any, as may from time to time, be fixed by Parliament by law and to the giving of guarantees within such limits, if any, as may be so fixed."

that is, within such limits as prescribed for the borrowing on the basis of the security of the Consolidated Fund of India.

Therefore, where a borrowing is not secured by the Consolidated Fund of India but by the assets of these particular Port Trusts, Government have got no right to extend the guarantees to them. Therefore, article 292 does not come in at all in this picture. It does not come because the borrowing contemplated in this article is on the security of Consolidated Fund of India. The Law Minister said just now. . . .

Shri A. K. Sen: We never said that this was borrowing by Government. We only said that they were guaranteeing the debt of the Port Trusts.

Shri Naushir Bharucha: But the whole article has to be read together. It reads:

"The executive power of the Union extends to borrowing upon the security of the Consolidated Fund of India within such limits, if any, as may from time to time, be fixed by Parliament by law, and to the giving of guarantees within such limits. . . ."

That means 'within such limits of the borrowing upon the security of the Consolidated Fund of India'. But here, it is on the security of the assets of the Port Trusts. Therefore, this does not apply.

My second point is. . .

Mr. Speaker: I thought he had concluded his second point.

Shri Naushir Bharucha: My first point is that it is a fraud on the Constitution. Secondly, I say that article 292 does not apply.

The third point that I am making is this. In addition to this, there is also this question of the amendment of the law with respect to any financial obligation undertaken or to be undertaken by the Government of India. When a loan is contracted from the World Bank, it is obvious that it has got to be repaid.

Mr. Speaker: Yes, I agree.

Shri Naushir Bharucha: Now, the repayment is in foreign currency. It is not in rupees.

Shri S. K. Patil: It may not be in foreign currency.

Shri Naushir Bharucha: We have got the Foreign Exchange Regulation Act, under which Government have got the monopoly of giving you foreign exchange. Therefore, the obligation to make foreign exchange available for the purpose of repayment is in

itself a financial obligation under sub-clause (b) of clause 1 of article 110. The obligation to procure foreign exchange is in itself an obligation such as is referred to as

'any financial obligations undertaken or to be undertaken by the Government of India.'

Now, it may be argued that the Port Trusts will pay them.

Mr. Speaker: Why should we labour this point? Whether it is in foreign exchange or our own currency, it involves payment out of the Consolidated Fund of India.

Shri Naushir Bharucha: No, I am coming to that point presently. The first thing is that the financial obligation is to procure foreign exchange. Secondly, when you say that you procure foreign exchange, it goes out of the Issue Department of the Reserve Bank; and the foreign assets of the Reserve Bank are reduced to that extent, so that it cannot be said that Government are not undertaking any liability or any financial obligation whatsoever. Therefore, I submit that on these three grounds, the recommendation of the President was necessary.

Shri Achar (Mangalore): I shall be very brief. The only point that I would like to submit is that when we consider whether this Bill is a Money Bill or not, we can only look into the Bill and nothing beyond that. That is my first submission.

Mr. Speaker: So, he supports what the Law Minister said?

Shri Achar: Yes, I am supporting him.

My point is that all other things will be extraneous. In fact, legal authorities have gone to the extent of saying that even the Statement of Objects and Reasons would not be a part of the law of the land. Whatever the Minister may say as regards guarantee or anything of that kind, Parliament or anybody else may have any remedy he wants so far as that is concerned, if he thinks he is right.

That is a different aspect of the matter. But when we consider whether this is a Money Bill or not, we must only look into the provisions of the Bill as introduced before Parliament. Is there any provision anywhere in it which offends any portion of the Constitution? I submit that there is none. If we read the clauses carefully, we do not find any indication anywhere to show that it involves the question of its being a Money Bill. My hon. friend Shri V. P. Nayar referred to the word 'incidental', and referred to sub-clause (f) of clause 1 of article 110. So far as that point also is concerned, it is a well-known proposition that 'incidental' means what follows necessarily. Here, does it necessarily follow?

Shri V. P. Nayar: Of course, it does.

Shri Achar: It does not necessarily follow. That is exactly what I am pointing out. There may or may not be guarantee. Who knows what is going to happen?

Now, as the Bill stands, we are not concerned with those other aspects of the question. We are only concerned with seeing what the Bill is; this House is only seized with the Bill as it stands. It may follow or it may not follow necessarily. So, it is not incidental. That is what I would like to submit.

All the rest of things are extraneous. So far as the Bill as it stands is concerned, it has no tinge of any Money Bill. So, there is no point of order.

Shri S. K. Patil: I would like to say one thing, and that is about a point that has not been brought out so far.

This is a general power which already exists in the existing Act in a limited sense, namely there is a power of borrowing in all these three Acts, of a varying kind. Now, what we are doing is not restricted only to one loan. The power that is sought to be got now is:

"and on such terms and conditions as may be approved by that Government, raise for the general purposes of this Act loans in any currency or currencies from the

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International Bank for Reconstruction and Development or from any other bank or institution in any country outside India."

These powers that we have now are varying powers. I have got them here before me, but I need not quote them. Assume, for the sake of argument, that such powers existed in the Act before.

If Government had to guarantee any loan whatsoever under article 292, they would have done it, and this question would not have arisen. But there is a doubt expressed whether those borrowing powers also cover borrowing in other countries, particularly through the World Bank. Therefore, we are enlarging the scope of the powers that have already been given to them by the Central Government. This is an additional reason. Therefore, this being a power of a general nature and there being no specific mention in that of anything that would really characterise it as a Money Bill, article 110 of the Constitution is not attracted.

Mr. Speaker: A point has been raised that inasmuch as a consequence of the passing of this Bill when a loan is raised by any of these Port Trusts from the World Bank or any other bank outside India, it may have to be guaranteed by the Central Government, this Bill comes within the definition of a Money Bill under article 110, particularly sub-clause (b) of clause 1 thereof. It is contended that whatever might be the implication or the necessary consequence at the time the borrowing actually takes place, no provision is made here in this Bill for the regulation of the borrowing of money or the giving of any guarantee by the Government of India. Article 110 (1) says:

a Money Bill if it contains only provisions dealing with all or any of the following matter . . ."

The Bill does not specifically contain any provision relating to the regulation of borrowing of money, though it is contended on behalf of Government that it is not by virtue of this Bill, that they will be entitled to guarantee any loan by the Port Trusts, but under article 292 which vests the Union Government with the power to borrow upon the security of the Consolidated Fund of India. I thought at one stage that this executive power did not mean that they could go on; if this is applied to borrowing, equally they might say that executive power extends to borrowing upon the security of the Consolidated Fund. Government can raise taxes, they can also borrow; but as regards taxation there is a specific provision under article 265 which says:

"No tax shall be levied or collected except by authority of law".

A similar provision regarding loan or guarantee is not there. If the Constitution-makers wanted to incorporate such a provision, they might have said, as they have said by means of a specific provision under article 265 in the case of any tax, that no loan shall be raised or guarantee given except under the authority of law. But here Article 292 invests the executive with the power, without a provision like article 262 so far as guaranteeing of borrowing is concerned. So it is open to Government to either borrow directly or guarantee upon the security of the Consolidated Fund of India.

"For the purposes of this Chapter, a Bill shall be deemed to be

Shri V. P. Nayar: Article 293 is there.

Mr. Speaker: Article 293 says:

"Subject to the provisions of this article, the executive power of a State extends to borrowing within the territory of India . . . within such limit"

This is between the Centre and the States. I am talking of article 292. There are two powers. How do the Government of India spend money? How is the Consolidated Fund filled?—either by tax or by loans. So far as tax is concerned, it must be by authority of law. A Bill is necessary. So far as borrowing is concerned, under executive authority, they can borrow. That is why we have not been passing Bills from time to time in the case of borrowings as we have been regarding taxation. It has never been contended that no loan shall be raised—Rs. 5,000 crores for the purpose of financing the Second Plan or so many crores for the first—without the authority of law. Therefore, the executive power under article 292 extends to borrowing or guaranteeing of borrowings. It is that power that they want to invoke.

It is open to them to avoid any contention, as was raised by Shri Naushir Bharucha, to have introduced a clause here saying that they are going to guarantee upon the security of the Consolidated Fund and it will be easy for them to get the President's sanction. But they think that various regulations etc. may have to be decided upon with respect to each loan from time to time and, therefore, at this stage, it will be premature for them to find out what are the conditions under which these regulations of guarantee may be necessary.

Under these circumstances, in the absence of a provision definitely bringing in article 110(1) (b), I do not agree that this is a Money Bill, nor do I agree that this is a Financial Bill under Article 117. Therefore, it is a different matter. As to whether it is not desirable for Government to take the House into confidence and state what might be the amount of guarantee etc., Government can equal-

ly say that it is premature for them to say anything now. As and when a loan is applied for, it may be time for them to negotiate and, therefore, they cannot in anticipation bring it here.

Whatever might be the implication—and there is no question of implication, as the hon. Minister definitely says that unless there is a guarantee there is no—likelihood of any loan being obtained—on that footing alone, and in the absence of a specific provision relating to guarantee under article 110(1) (b), I feel this is not a Money Bill under article 110, nor is it a Bill under article 117, requiring sanction or permission of the President.

Therefore, consideration of the Bill can proceed.

Shri V. P. Nayar: Your ruling is advantageous to us also in the case of private Bills.

Shri S. K. Patil: I have made my comments before the point was raised and I have nothing to add, unless hon. Members raise some point later.

Mr. Speaker: Motion moved:

"That the Bill further to amend the Bombay Port Trust Act, 1879, the Calcutta Port Trust Act, 1890, and the Madras Port Trust, 1905, be taken into consideration".

Shri Naushir Bharucha: I do not agree with the principle involved in the Bill. I am inclined to think that a Bill of such character is likely to lead to serious trouble in future.

In the first place, may I know why it should be necessary at all for Government to amend the Port Trust Act of various places in order to enable them to raise loans from the World Bank? Cannot Government themselves do this work, namely, borrow a lump sum from the World Bank and then distribute it to the various Port Trusts?

[Shri Naushir Bharucha]

14.39 hrs.

[MR. DEPUTY-SPEAKER in the Chair.]

The necessary foreign aid may be distributed by them in the proportion they think fit. To my mind, it appears that this is one of the instances of excessive and unnecessary legislation. It is not merely unnecessary and useless, but it is worse than useless, because it is dangerous. I shall presently show how it is so.

If today we are going to give such a power to certain corporations like the Port Trusts of Bombay, Calcutta and Madras, the question would naturally arise: are we going to give similar power to other statutory bodies? It is not only the Port Trusts which will require for their expenditure assistance in the form of foreign currency. If we accept this principle in the case of Port Trusts only, there are equally important and, from the point of view of financial commitments, much more important statutory bodies. Are you going to extend them this privilege? If not, I ask Government, why not?

The first point that I am raising is why should not the Government borrow and then distribute. There is no need for amending the Acts.

The second point I am making is, is this opportunity going to be extended only to the three Port Trusts, or are you going to extend it in the case of other statutory bodies much, more important in their financial commitments than the Port Trusts?

The third point that I am making is that if the borrowing is going to be decentralised and if every authority created under any particular Act is going to have the power to borrow from the World Bank, then, the tendency will be to formulate programmes and then come to Government saying that they have already formulated the programme and therefore they require money for its execution. That programme may or may not fit in with your development programme. And, it is conceivable that the loans procured from the World Bank, which are difficult to procure because there

are several rival countries also trying to procure loans from the World Bank, may be frittered away in projects which may not be strictly necessary for the purpose of putting the Five Year Plan into execution.

It is also conceivable that more important projects which require assistance from the World Bank and which have fitted into the Five Year Plan and which have been given priority may suffer by reason of the fact that you have got competing claims in the shape of Port Trusts which demand a share of the World Bank loan. And, I ask if this decentralisation of power to borrow from the World Bank, about which we are taking the first step, were to be extended, what will be the position of the Second Five Year Plan? Therefore, I say that, in principle, it is also dangerous.

Then, take another case. If everybody is to be given this power, later on, others will come up also. Bombay has not even asked for that power and still it is being thrust upon it. If everybody is being given this power, what happens to the borrowing programme of the Government itself? I want to ask this House— and I want to raise this point very seriously—has the Government placed before this House any borrowing programme, let us say, for the next 3 years of the Five Year Plan? Can they say that the borrowing programme is so much and that it is going to be planned in this way? The House has not been taken into confidence.

What is more, the House will never have an opportunity to analyse or criticise the projects that are to be put before the Government by the Port Trusts. This is what will happen by this novel principle being introduced of statutory bodies being enabled directly to negotiate with the World Bank for loans. While we are, on the one hand, clamouring that it is difficult to get foreign exchange, and we have passed a law permanently placing foreign exchange under control, on the other hand, we give these statutory bodies power to appropriate for their own use foreign

exchange. And the use may be such over which this House will have no voice whatsoever.

The reply to that by the hon. Minister may be that the Government will consider the projects and if they think fit, then only, will they guarantee. That means that the House is deprived of the opportunity of criticising. The House does not know for what purpose the foreign exchange which is acquired with so much difficulty from foreign countries is being used. The House will have no voice and I object to that in principle.

I say that if various bodies are allowed to compete—apart from the fact that each one will want to compete on more onerous terms offering a higher rate of interest. Apart from all those considerations, the fact remains that such a type of decentralised borrowing queers the pitch for Government and makes it extremely difficult for Government to place before this House a coherent and comprehensive plan either of borrowing or of utilising the moneys borrowed. Therefore, I submit that it is very unhealthy in principle to give this power to various bodies.

The fourth point that I am making is, what about the repayment of these financial obligations, particularly the foreign exchange obligations? They will start 'bunching' up in 1961. This House is being told that facilities have been given to the private sector to arrange for deferred payments. Those deferred payments also will mature or start maturing for repayment from 1961 onwards. This House proceeds on certain assumptions that it will have certain financial commitments in the form of foreign exchange in 1961. By 1961, how many different projects are brought up by different bodies and what they do, we shall not know. The House will not be in a position even to judge of their commitments at the time.

The fifth and the more important point is, what are the terms and con-

ditions on which Government is going to sanction negotiation of loans by Port Trusts with the World Bank? I am told—and I speak subject to correction—that the terms and conditions are that the loan shall be a first charge on the assets of those ports. The Port Trusts might have issued debentures; they might have borrowed money and there might be other Port Trust loans for development projects already raised in this country. Do the terms and conditions on which the Government is going to sanction negotiations include any such term that the World Bank will have first charge? In that case it means very unfair treatment of those people who have already advanced loans to these Port Trusts. Therefore, I would like the hon. Minister to make clear whether such a clause is going to be included; and, if it is not included it comes to this.

Supposing the assets of the Bombay Port Trust come to about Rs. 50 crores. Let us assume that the debt already contracted is Rs. 40 crores. Therefore the margin to provide cover for security for payment of a new loan is only Rs. 10 crores. The Bombay Port Trust—let us assume—contracts a loan from the World Bank of Rs. 50 crores. The World Bank will not permit Rs. 50 crores to be given on the poor margin of Rs. 10 crores. The result will be that if Government guarantees, it will have to make good and that means out of Government funds, I want to know what exactly the position is.

Therefore, I oppose this Bill on these various grounds.

Shri T. K. Chaudhuri: Mr. Deputy-Speaker, Sir, so far as this Bill is concerned, I wish the Minister had taken the House into confidence about the loan programmes that have been negotiated and are only awaiting the enactment of this measure to be finalised. There is hardly any doubt about the fact that this Bill is intended, first of all, to enable the several

[Shri T. K. Chaudhuri]

Port Trusts to obtain loans from the International Bank.

I took care to look into the original Acts which are being sought to be amended and I find that excepting the waiver of restrictions upon loans, all the powers that are sought for the Port Trusts are already there. It has been said—and strangely enough by the Law Minister—that the Port Trusts were not empowered uptil now to raise loans from foreign countries.

I would invite your attention to the Bombay Port Trust Act of 1879. There, the borrowing powers are covered by section 39. Section 41(e) which governs loans to be raised in India and in Indian currency. This specific provision more or less similar or even in almost identical language, is there in every other Act. The provision is this:

"Unless the Central Government by notification in the Official Gazette otherwise directs, all loans contracted by the Board or the Trust or the Port Commission, as the case may be, shall be raised in India and in Indian currency."

That implies that the Government has the power by notification to authorise these Port Trusts to raise money in foreign countries as well as foreign currencies. I would like the hon. Minister to enlighten the House as to the nature of the doubts that were raised. Doubts were raised by whom? And to what extent? Were those doubts justified?

I think the real purpose of the Bill is indicated in a sentence in the Statement of Objects and Reasons here where it is stated that even if the power to borrow from such an institution in some foreign country, such as the World Bank or other banks, can be inferred, the borrowings would, under the existing provisions, be subject to certain restrictions which are not suitable for the purpose of the loans granted by the International Bank for Reconstruc-

tion and Development. That lets the cat out of the bag? I hope the hon. Minister would excuse me for this expression.

Of course we on this side of the House have different views about the good intentions of the World Bank but in order to make those intentions absolutely clear and putting them beyond any manner of doubt, I would again refer to this publication—*The World Bank*—where it has been specifically stated that one of the specific purposes of the loan or the primary purpose of the loan is the promotion of local private enterprise. That is what this official publication of the I.B.R.D. says:

"In its efforts to stimulate development, the Bank places special stress upon the growth and expansion of the private sector of the economy. A great many of the Bank's loans are designed, either directly or indirectly to stimulate private investment, and the importance of private enterprise, particularly in directly productive pursuits, has consistently been emphasized by Bank general survey missions."

While this makes the operations of this Bank a little bit suspect, I find here in the bank publication different rates of interests are being charged for various loans advanced to the private sector and the public sector projects in this country. In the Explanatory Memorandum the General Budget I find that this Bank advanced a loan last September amounting to 90 million dollars. The rate of interest was 5 and 5/8 per cent. per annum—or very nearly 6 per cent per annum. This loan is with regard to our railway projects, pre-eminently Government or national projects. But I find in this publication—it would be corroborated by our Government also—that the rate of interest of the loan granted to the Tata Iron and Steel Company for steel expansion programmes is only 4.75 per cent. or about five per cent. On another loan to a

Tata group of company the rate is 4½ per cent. The Indian Credit and Investment Corporation (India) Ltd., gets a loan at the rate of 5 per cent. interest. But when it comes to our premier national enterprise—railways—the interest charged is 5 and 5/8 per cent. I would, therefore, like to know from the hon. Minister: what are the terms and conditions, the rates of interest, the number of instalments in which these loans have to be repaid. The whole thing becomes very suspect in our eyes.

I do concede that our ports need development and that we must obtain foreign exchange. But there is the record of the International Bank in different countries; and there is also its composition. Although it is called International Bank or World Bank, everyone knows that for all practical purposes, it is an American bank. The major portion, an overwhelming portion of the capital is from the U.S.A. It is also on record that the Secretary of the American Treasury, the President of the World Bank and the President of the Federal Reserve Bank in U.S.A. form some sort of an informal committee which scrutinises all these loans and we have known how in Suez operations, these banks are guided by political considerations. I hope the Government would take us into confidence and place the whole loan programme before the House so that it can judge the merits of the Bill. Otherwise this enabling measure will be very much suspect in our eyes.

Shri V. P. Nayar: Sir, I also do not agree with the provisions of the Bill as they are. But I want to make it clear that I am not against the ports getting financial aid from other countries at suitable terms and conditions. If you go through the Bill, you will find that the Government has made an effort to conceal from the House certain terms and conditions upon which the IBRD seemed to be rather keen. We know these port trusts have raised money by a variety of ways. Actually we do not know. If the hon. Minister had chosen to

take us into confidence he should have told us how much is today due by the Madras Port Trust, how much by the Bombay and how much by the Calcutta Port Trusts. This is not supplied.

Apart from that we find that although the Government says that there are powers of borrowing inherent as stated in the Statement of Objects and Reasons, they now want to seek a clarification by an interpretation of the existing Acts to enable the Government to do certain things. I would not have been worried if the provision is confined merely to the borrowing from the IBRD. But we find that in all these provisions, along with the IBRD, 'any other foreign institutions' are also included. It is very dangerous if it is allowed to be passed by the House in the manner in which it is before us today. By the interpretation which is sought to be given to a particular provision of the existing enactment, Government wants to take away the effect of all other law on the subject. The three sections are curious enough. This is the first Bill of the kind that I have seen. There are three operative provisions and all the three are:....."Notwithstanding anything contained in any other law for the time being in force...." It can very rightly therefore, be called a 'Notwithstanding Anything Bill'. It reads:

"Notwithstanding anything contained in this Act or in any other law for the time being in force, the Board may with the previous sanction of the Central Government and on such terms and conditions as may be approved by the Central Government. . ."

What is the law?

15 hrs.

We know that when the Port Trusts raise debentures they are subject to the Indian law. We know if they raise loans by mortgage of property they are subject to the Indian law. Why is it that the World Bank is not satisfied on advancing money with terms and conditions which are appli-

[Shri V. P. Nayar]

cable to any other Indian institution? What is the case of the Government? Is it their case that the International Bank of Reconstruction and Development are not satisfied with the provisions that enable them to recover the loan, that they want special provisions whereby they abrogate all existing laws on the subject? I fail to understand why such a blanket power should be given to the Government, the more so when they do not come out with the terms and conditions of the loan.

We know that if we pass this law the relevant provisions of the Transfer of Property Act will have to be given a go-by in transactions with the World Bank. Is it the hon. Minister's case that a charge which is a first charge created by an act of performance within the scope of the existing Transfer of Properties Act will continue to be in force even after the passing of this law? Then, Sir, as you will see, there was no necessity at all for the Government to come out with this particular clause "Notwithstanding anything contained in this Act or in any other law for the time being in force". Therefore, my submission is that Government do not want merely to interpret a particular provision of the relevant Port Trusts Acts but they also want to take away the effect of all other laws which govern the matter of loans in this country. Thereby they want to put the World Bank in a position of advantage over those institutions which have already advanced money to these Port Trusts in the matter of raising additional funds for development.

Is this correct? Are we, here, in this House, justified in giving such a power when we do not know what are the terms and conditions? I can find no excuse. I can certainly share the anxiety of the hon. Minister in seeing through a programme of the development of ports, but I do not understand for a moment why this House should not be taken into confidence. My friend Shri Chaudhuri

pointed out details of interest which the World Bank charges. It appears that if it is an institution which is run primarily by the Government the World Bank insists on higher rate of interest, and if it is run by a private institution then the World Bank will be pleased to charge a lower rate of interest. That being so, having regard to our experience that other institutions which have advanced money for institutions in this country, it is a very dangerous provision.

We must, Sir, at the same time, look into the operation of certain other agreements. I do not want to refer in particular to the World Bank because the provisions which are before us today would justify special conditions and terms being granted in the matter of loans advanced by institutions outside India, to the very serious detriment of institutions in India which have already advanced money. There, Sir, we must draw a distinction.

If that were so, what was our experience? We know how we bungled. We know how Government, which claim to exercise executive power by virtue of certain articles of the Constitution, in the matter of negotiations for loans for projects in the public sector have put the entire country's interest in utter jeopardy. Almost always when this country was negotiating loans with foreign institutions the dice was very heavily loaded against the public interest of our country. What happened in the case of setting up of the machine tools factory where we negotiated for financial assistance with a foreign institution? What happened in the case of the Hindustan Shipyard about which we had a discussion only yesterday. With this experience, Sir, we should be very very careful in giving another power, which is an even more blanket power than what has been already there. We should consider whether it is at all necessary that, even if such loans can be raised through the International Bank, such special benefits which are intended to

be given to the World Bank should also be given to a wide range of institutions which come within the mischief of the general definition in this particular provision, because it is said that loans in any currency can be raised from any foreign institution. This is a matter which is of fundamental importance to our economy, and it is certainly a matter in which Government ought to exercise the utmost restraint and caution, having regard to the experience we have had in the matter of raising loans from institutions outside our country.

The second point which I would like to take up is, we all agree that the ports do require development, do require development at the fastest pace—there is no doubt about it. We are all sorry that in the historical development of these ports and the management of Port Trusts what we normally call 'a State within a State' has been created. There are many reasons for that; I do not want to go into those reasons. But today it remains that the ports have not developed in a manner which is desirable, which is necessary to handle the foreign trade of our country. Take, for example, the port of Calcutta which, I am told, handles about 50 per cent of our exports. What is the position there? Take any other port for that matter. When we are trying to raise loans from foreign institutions on terms and conditions which are not revealed to us, is it not necessary that we look back and find out what are the mistakes in the past in the matter of administration of these ports? The Government will be committed to repayment of instalments to the World Bank or at least stand guarantee to it.

Sir, I have made all possible efforts to find out the relevant provisions from the Constitution of the International Bank of Development and Reconstruction in order to find out whether there is any particular provision in the Constitution of that Bank—which is also very relevant—restricting the operation of the loan or imposing

certain necessary conditions on the execution after the loan. I have not been able to find out the Constitution, because we do not have it in the library, and although I made all efforts to get a copy of that Constitution from the Finance Ministry the efforts of our library staff have so far not borne any fruit. It appears that even the Finance Ministry does not keep a copy of the Constitution of the World Bank. It is absolutely necessary, because we want to know what are the conditions which are normally enforceable by the Bank in terms of loans which are guaranteed by the Government.

Let alone that. If we guarantee a loan under a special provision of a very special "notwithstanding anything enactment", we should also consider how we are going to repay the loan, what are the measures which we can take. Apart from the effect that this may create, the future loans which we may negotiate may create a first charge—as against all concepts of charge given in the Transfer of Property Act—giving the first right to the new loan over the rights which already accrued by virtue of advancing money on past loans, how is it that we are going to repay the loans? What are the terms and conditions of repayment? What are the terms and conditions of the actual issue of the loan? We know that in some cases when the World Bank advance a loan they insist that a particular percentage of the loan can be spent in a particular country only. I want to know from the hon. Minister whether when we negotiated the loan we have impressed upon the World Bank the necessity to allow us to import our requirements of machinery or other items from any country which we choose to. Are we entitled under the conditions of the loan to invite global tenders for the supply of our requirements?

An Hon. Member: No.

Shri V. P. Nayar: Are we, or are we not? That is a question which we want to be answered in a categorical fashion. Are we precluded or pre-

[Shri V. P. Nayar]

vented from inviting global tenders for the use of the money advanced by the World Bank in the matter of purchase of our essentials? If that is so, let us not have a loan from the World Bank, or from whichever other blessed institution it may be, because it has political fetters. The trouble about this loan is not merely legal, it is also political, because in the usual terms and conditions given by the World Bank those provisions, terms and conditions do smack of some colonialism which we do not want in this country. Although Government may say that it is not possible, we know the history of ports like Shanghai. We know what has happened in Suez. We do not want this to be repeated and if the World Bank is magnanimous and charitable enough to give us a loan, it should not be on conditions which are very restrictive in so far as the exercise of our right to make purchases for our demand from whichever country we choose to, is concerned.

This is a very serious matter, and unless a categorical answer is given to it, I am afraid that the House cannot support this Bill. I was referring to the development of ports. I was also dealing with the manner of the terms and conditions under which we will be called upon to make repayments. We know that when we take a loan guaranteed by the Government of India for the purpose of development of one of these ports managed by bodies which are created by Acts of Parliament—Port Trusts—it is also necessary to see that the income from the port is not reduced to that extent whereby it will be impossible for us to fulfil our commitments in the matter of paying interests. What is the way in which the Port Trusts get money? It is only by handling cargo and jobs incidental thereto. Therefore, when we negotiate for a loan, the conditions about which we have no idea, and when we are called upon to give our vote for that, we should know what is the firm policy in respect of the labour in these

ports. Unless we have a labour force which is contented, we cannot expect by any stretch of imagination to be able to pay the interest which is due.

What has been the policy of Government in the recent past? Strikes without number occur in all these major ports. The attitude of the Government has been particularly unsympathetic towards dock labour. We know that time and again it has been shown in this House that even the Choudhuri Commission's report received by the Government as early as in October or November last year could not be implemented. After all, they are not such revolutionary recommendations. They are very moderate recommendations. Therefore, when we take loans, we should have in mind that the repayment of the loan will not be possible unless we have a contented labour force from which alone the port will derive the income and from which they can make the repayments. Otherwise, what we will find is—it may be to our dismay later on—that the World Bank will use all its power conferred by a specific enactment in getting back its money. Therefore, in this context, when we are thinking of raising loans from foreign institutions on conditions which are very peculiar, on conditions which we do not have in the normal law of our land, it is well and good that the Government state their policy in regard to the handling of labour. If I had any influence with the Minister, I would earnestly urge upon him to consider whether it is not time, in view of the loan which we propose to take, to have a long term agreement with labour in the ports on which alone we can hope to repay the loans which we raise.

I do not want to go into the details of the Bill, because we are giving a guarantee. I do not go into the legal aspect of it, namely, whether a particular article of the Constitution would make it necessary for the President's sanction to be obtained or not. But I may submit to you the

real effects which such a legislation will have on the Consolidated Fund of India and on the country as a whole, because we are committed in the matter of repayment either as guarantors or by direct payment. Where is the escape if we do not pay the money? I understand that 50,000 dock workers have given notice of strike in the Calcutta port for very small or little reasons which Government do not satisfy, and the Government have a very adamant attitude towards them and they do not seem to be inclined to hear their case. Therefore, if we allow matters to continue like that, it is impossible for us to repay the loan, because the Port Trusts do not have shops in Connaught Place from which they could get rent and then pay the money. Their only source will depend upon the earnings through labour. Therefore, this is a matter which should be very seriously considered by the hon. Minister.

I would also urge upon the hon. Minister another aspect which is relevant, but which may not be strictly relevant to the provisions of the Bill, but which, in the overall picture, is very relevant.

Mr. Deputy-Speaker: Has he said all other things that were strictly relevant?

Shri V. P. Nayar: That is for you to decide. Otherwise, if we did not have difficulty in the matter of the Bill—

Mr. Deputy-Speaker: The hon. Member will try to conclude.

Shri V. P. Nayar: Yes, Sir. If we did not have difficulties in the matter of this Bill, we need have spoken only one sentence as the hon. Minister did. He introduced the Bill by saying that after all this is a very simple measure; it is not controversial at all, and that therefore he did not have anything to say. But we found that immediately after that, on a point of order, we went round and round for two hours.

Mr. Deputy-Speaker: But he did not anticipate that when he introduced the

Bill. Now, the hon. Member will conclude.

Shri V. P. Nayar: Yes, Sir. My only submission is this. The fact that we do not have any amendments and also the fact that we need not therefore spend any time in the second reading, that is, the clause-by-clause stage,—with all these advantages—are there, but we should consider not merely the aspects which come strictly within the provisions notwithstanding any other legislation but also the general effect which the negotiation of such loans will create in working the ports in this country. Therefore, I submit that although it may not be very strictly relevant, Government should have a firm policy in regard to the diversion of some of the cargo which is handled by the Calcutta port now by having another port some 20 or 30 miles down below Calcutta at a suitable place. When there is so much work in the Calcutta port, it will create a problem which in its wake will create difficulties for the repayment of the loan that will be provided under special conditions.

I would again urge upon the hon. Minister to please take the House into confidence and let us have an indication of the terms and conditions. There may have been discussions on that. I am sure that this provision would not have been included if there were no discussions. In the Statement of Objects and Reasons it would not have been specifically mentioned if there were no negotiations for loans already. It cannot be said, by any stretch of imagination, that if we disclose the loan because it is an international bank it will be against public interest. Also, we want to know whether they are insisting upon conditions which are humiliating to our country. We also want to know whether such conditions will oust the operations of other loans in force.

Shri S. K. Patil: Mr. Deputy-Speaker, you were right when you said that I never imagined when I introduced this Bill what I was in for.

[Shri B. K. Patil]

Apart from the legal or constitutional objections, I had the advantage of listening to a full-dress debate as to what the policy of the Port Trusts should be, how labour should be treated, and all that. I do not find fault with the hon. Members. What I say is, the scope of the Bill really did not give me an idea that all those things were going to be discussed and that they were within the purview of this Bill. Anyhow, it has happened.

I shall try to supply the facts of the case as much as I can, and about the confidence to be shared, I would share to the fullest degree—100 per cent. There is nothing to hide about it. They will find that there is nothing hanky-panky about it. There is nothing that is humiliating, and my friend could give us this much credit. If there was anything humiliating to the self-respect of India, neither my Government nor I would be here even for a minute. Therefore, even the imagination that something humiliating would be accepted because the ports have got to be developed, etc., does not really do much credit to any hon. Member, whether he is on this side or that side of the House.

Having said that, I shall now give the facts of the case. We wanted Rs. 95 crores for the development of our ports, not only these three major ports but the five or six major ports and several of the minor ones. But I am now referring only to the major ports. There are no two opinions in this House that the ports have got to be developed. Our capacity for receiving cargo and for exporting cargo has got to be developed and developed very fast. As to how we are suffering, a little inkling of it has been given by the hon. Members. Therefore, on that point we are all unanimous. How can the ports be developed? That is a plan that has to be made. We have got to find out Rs. 95 crores for the completion of the

plan, out of which Rs. 40 crores, as big as 40 per cent or a little less than that, is the foreign exchange component, because things have got to be taken from outside. Now, it is very easy to say that we should not have borrowed money from here, should not have borrowed money from there and so on. If it is not the International Bank for Reconstruction and Development, possibly we have to go to some other country, even USSR for that matter. Therefore, the question where we should have gone is an immaterial question. The borrowing has got to be done, because the foreign exchange component had got to be secured. Merely with Rs. 40 crores our work cannot be completed. We want another Rs. 55 crores through our internal loans, apart from paying another Rs. 20 crores for foreign exchange, because we have got today only 29 million dollars for the development of the Calcutta port and 14 million dollars for the development of the Madras port, making a total of 43 million dollars. In Indian money it would come to somewhere about Rs. 20 crores. But there are other ports to be considered. Take, for instance, Bombay. A question was asked by Mr. Bharucha about the Bombay port trust and he enquired whether they have no development programme. If they have got a development programme, some kind of loan, so far as the foreign exchange component is concerned, has got to be initiated. Therefore, if it is necessary, surely we have got to do it, as we have done in many other cases.

Here I will come to why such a law or enactment has become necessary. This is not the first time that we have gone to the International Bank for Reconstruction and Development. They have helped many of our projects. When I was the Minister for Irrigation and Power, I had to deal with them, not in regard to one but perhaps umpteen of our projects. But we had not come to this House because there was no law governing

those particular institutions which had to be managed. Therefore, we took the loan in the normal way, according to the conditions which were mutually beneficial; we did it. In this particular case, we have got to come to this House in order to amend the enactments, because there are enactments. If, for instance, in the case of the Koyna project, there was an enactment, we would have come to the House for its amendment when we went in for a loan. In the same way, we have taken money for the various projects from the International Bank for Reconstruction and Development.

Now, as regards ports, there are port trusts and laws governing them only in regard to three States, namely, Bombay, Calcutta and Madras. If it was only a loan for Visakhapatnam or Kandla or Cochin, then possibly we would not have come to this House. The loan could have been initiated, money could have been obtained and all this discussion would have been superfluous. Here in this case we had to come here because, for good or bad reason, years back we had created these autonomous institutions, namely, the Bombay Port Trust, the Madras Port Trust and the Calcutta Port Trust. Having created them, we invested them with certain autonomous powers. Those powers included also the powers of borrowing. When these Port Trust Acts were enacted years back, it was not contemplated that these people would have to go somewhere outside the country for getting loans.

Even as the law stands at present, nothing prevents them from going out for borrowing. It is only because we are doubtful in our own mind that we wanted to amend the enactments. Because, these laws also differ. If you look into the provisions of these Port Trust Acts, you will find how these particular sections are not identical. Therefore, by a stretch of imagination it can be contended that possibly we do have such a power. But why keep it in doubt? Why not keep it beyond the range of doubt? Therefore, I have

made it clear in the note that I have appended to this particular amending Act that because there was a doubt, in order to remove the doubt this Bill is being brought in. Government even now thinks that it is perfectly within the legal competence of these three authorities to borrow money. All the same, to keep the matter beyond doubt, this Bill has been brought in. Supposing such a power already existed, then surely all these discussions would have been superfluous, because the port trusts themselves would have dealt with the World Bank and would have got the money and the Government of India, under section 292, would have guaranteed those loans. We came here because we wanted to extend those powers of the autonomous bodies, not only with reference to the International Bank for Reconstruction and Development, but with reference to their borrowings from some other country.

Supposing on account of the foreign exchange position, we have to get it from the USSR or some other friendly country, then surely it has got to be done. That competence has got to be given to these port trusts to borrow money from any country in any currency on terms and conditions which are mutually acceptable, both to the port trust as well as the country or institution that gives the money. That is why this amendment has been brought in.

I now come to some of the points that have been raised. Shri Bharucha asked: why not Government borrow and give it? I cannot understand the special reason why such a point was raised. It does not make a difference; it does also in a sense. Because, these bodies are autonomous. They have got the borrowing power and we want to encourage the autonomous character of those bodies. They take the loans and we guarantee them, because it is necessary just to see that they are under our Act, under our guidance; because no loan could be contracted unless the Government of India is consulted. To that extent alone, we come. Therefore, it is for

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us to see that if they take these loans, they are in a position to pay these loans also. We have also to see that they take into consideration their requirements and necessities and behave in such a manner, or arrange their economic affairs in such a manner, that they can pay the loans out of their own earnings. That is exactly what they do. In case of any eventuality, of which there is perhaps a chance one in a million, where they are not able to pay, we will honour it. Suppose there is a strike there—as pointed out by my hon. friend, suppose 50,000 dock workers go on strike—what will happen? If any such emergency actually comes into being and the port trusts are in a difficulty, we will make payment out of the Consolidated Fund of India, because their money is our money and they are institutions created by this House. But these are contingencies which we have not taken into account just now. They are there only for the sake of argument.

We wanted that these autonomous bodies should always stand on their own legs and look after their affairs. Even after receiving these loans, they have to pay them back out of their earnings. Therefore, it would not be proper for the Government of India to get these loans and then give them to the port trusts. And it would not make any difference so far as the economic condition of India is concerned. But that would not be proper.

There have been loans which have been secured by these projects; the loan is given to the project, although it is guaranteed by the Government of India, because the project is in India. It is under the administrative influence or competence of the Government of India. Therefore, the Government of India must guarantee. That is why, the Government of India comes in.

What we are seeking to do here is that those powers that were inherent or that were given—not inherent—by

the State to them, we are extending their scope, not in relation only to the World Bank but in relation to other countries also. Unfortunately, the World Bank has been mentioned here, because it occupies a different position; it is not a country. We cannot say "any country" because the World Bank is made of several such countries, of which India is one. Therefore, it is in the position of the UNO or something of that kind. Because it is not a country, it has got to be specially mentioned. Otherwise, we could have stated "from any country or any institution" and that would have been sufficient. I am mentioning all this because there is nothing to hide from anybody. We only want that the autonomy of the three port trusts should be retained and that we should not in any way really hurt their autonomy in any particular manner. We are not going to do it. While extending the powers, the borrowing powers, we are providing that if a similar contingency arises in future and if they want to get a loan, either from the World Bank or any bank or any country, they should be free to do so. That is exactly what this amending Act seeks to do.

Having said that, I will now come to one or two other points that were mentioned. I was asked: why did we go only to the International Bank for Reconstruction and Development and not elsewhere? My hon. friend, Shri T. K. Chaudhuri went to the extent of saying it is because the Bank is "American dominated". If we consider our problems from the point of view that if we take a loan from Russia, we are Russian-dominated, if we take it from America, we are America-dominated and if it is from somebody else, we are somebody else-dominated, there will be no end to it. India is a friend of all countries. We have every right to give and receive. Surely, such arguments as this that because America has given more, so we are American-dominated, I cannot understand. This is a world organisation, an institution in which

India is also a member. We have paid money for the making of it. We have accepted the constitution and we go by it.

The Deputy Minister of Finance (Shri B. R. Bhagat): India is one of the five permanent members.

Shri S. K. Patil: Why should there be such a shame or anything in getting money . . .

Shri T. K. Chaudhuri: What is the proportion of our voting?

Shri S. K. Patil: If my hon. friend would give another 100 million dollars or Rs. 100 crores, surely the proportion would be still better.

Shri B. R. Bhagat: That is not decided by contribution.

Shri S. K. Patil: Therefore, all these arguments are really not relevant at all, so far as this particular question is concerned. Therefore, we have gone in for these loans. What are the conditions of the loan? I do not go into everyone of them. But I may say that there is nothing secret about it. They have negotiated these loans—I do not know how many in all—perhaps for 10, 20, 30 or 40 projects. We have taken that loan—we have not yet taken it but we are seeking to take it, we are simply negotiating—of 43 million dollars—29 million dollars for Calcutta and 14 million dollars for Madras. The rate of interest is 5½% and the money is to be paid in 20 equal instalments beginning with the first instalment in April 1963. That means five or six years hence.

Shri Sinhasan Singh (Gorakhpur): What is the interest?

Shri S. K. Patil: So far as the rate of interest is concerned, the World Bank does not make distinction between country and country. Sometimes it makes a distinction between projects. A project of utilitarian character, for instance, which was something that looked after the health of children or which was a project like a dairy project, railway project or some such kind of things,

which are really essential and which have got a larger element of the welfare of men and women, in such cases sometimes on their own initiative they perhaps charge a little less. But so far as the normal rate of the World Bank is concerned, it is always 5½% and that is not only for India but that is for everybody. It is not within their competence to reduce that rate. Therefore about the question that we have been duped or that because we are needy persons and therefore we have gone there and we have become a subject of exploitation from the World Bank—nothing of that kind has really been done—there should be no misgiving so far as that point is concerned.

Then regarding the question of currency, there have been many doubts. Once you are beset with doubts, then howsoever straight it might be, it appears to be crooked and therefore the doubt is that the World Bank means the United States of America, United States of America means politics and therefore everything that is in politics must have been introduced in the negotiations between this country and the Bank. It is rather a far-fetched idea. I cannot really understand it. There is nothing of that kind. There is no currency. The money has got to be returned in the currency in which we buy those things. There is no stipulation that every dollar of that must be spent in the United States of America. It cannot be because it is the International Bank of Reconstruction and Development. It is not the United States bank. Therefore they cannot make a stipulation that we must buy in a particular country. On the contrary, the World Bank has insisted on their own initiative that our tenders must be global tenders. Therefore it is open for competition. If America really offers a rate which is acceptable to us, then we can go to them. That is a different matter. But generally it has happened in all the cases we have taken a loan—not in all the cases but in most cases that we have gone to the other country because in global tenders we had the

[**Shri S. K. Patil**]

facilities which were acceptable to us from the other country and not from the United States of America. Therefore even that point does not arise.

So far as the rate of interest and the 20 years instalments are concerned, it is a general thing. Then they have added this much facility that we pay the first instalment in April, 1963. Really speaking, this rate of 5½% is for the immediate payment year after year. But they know our difficulties. They know that we have not got the foreign exchange and possibly for a period of five years we may not be able to pay them money in that currency. Therefore we start the first payment from April 1963. That money does not go to the United States of America. Suppose we do the purchases in West Germany, the money goes to Germany. Suppose we buy something in Russia, the money goes to Russia. If we buy from Poland it goes to Poland. It may be any country. Therefore they do not restrict it. It is a global tender and on that global tender we have got to pay money. Therefore, the payment is in the currency of the country from whom we buy those particular things that we require for the development of this port. Therefore, that question also does not arise.

Shri V. P. Nayar: We know that.

Shri S. K. Patil: So far as taking the House into confidence is concerned, my hon. friend, **Shri V. P. Nayar**, said that we have concealed certain conditions and we have not taken the House into confidence. If it was so then it was a different matter altogether. Even after my speech, would he kindly do me a favour and tell me as to what is it that I have concealed from him or from anybody in this House?

Yesterday, when a straight question was asked—this question would not have arisen—as to whether the Government has given any guarantee, I myself stood up and said we shall have to give some kind of under-

taking. I did not use the word "may". There is no concealment at all. How could you conceal these things from this House, because all these documents and other things that we sign are a public possession? We cannot conceal anything either from the House or from the people of India. Therefore, I have said quite enough on this point and I think all doubts have been set at rest. There is nothing really which is out of the way. We have got to go in for larger borrowings. There is Bombay. It comes within that Act. But outside that Act also there are other ports. My hon. friends very often come to me and say that even the minor ports have got to be developed into major ports and so on and so forth. I am most anxious that it should be done. They also talk about having a second shipyard. I am also anxious. That has got to be done but that will need foreign exchange and millions of dollars, whether you take it from the World Bank or from anybody. It has got to be done. If it has got to be done but on terms and conditions that are acceptable to us, what is there wrong? I do not understand it. Therefore, I maintain that this Bill became necessary for the reasons that I have stated.

So far as borrowing is concerned, it is in the higher interests of India. We have done nothing wrong. So far as threats of strikes etc. are concerned, I can assure my hon. friends to the extent that I can keep the labour satisfied. It shall be my first duty to do so. How can he expect or how can anybody for that matter expect that our ports or any industry or any part of our industry will thrive unless the labour that is working there is kept satisfied? But there are obligations and there are responsibilities on either side. Just as the labour has the right and the privileges, labour also have got the obligations. If our hon. friends, who are leaders of labour, be they on this side or on that side, also tell labour sometimes, for a change, that there are some obligations and

responsibilities also on the part of labour so far as the reconstruction of our economy is concerned, I think there will be a day, which will be a red letter day for all of us, when there will be no disputes so far as labour is concerned and we shall have a more peaceful and a more prosperous India.

Mr. Deputy-Speaker: The question is:

"That the Bill further to amend the Bombay Port Trust Act, 1879, the Calcutta Port Act, 1890, and the Madras Port Trust Act, 1905, be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments. Therefore, I will put all the clauses together.

The question is:

"That clauses 1 to 4, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 1 to 4, the Enacting Formula and the Title were added to the Bill.

Shri S. K. Patil: Sir, I beg to move.

"That the Bill be passed".

Mr. Deputy-Speaker: The question is:

"That the Bill be passed".

The motion was adopted.

HYDERABAD SECURITIES CONTRACTS REGULATION (REPEAL) BILL

The Deputy Minister of Finance (Shri B. R. Bhagat): Mr. Deputy-Speaker, Sir, I beg to move:

That the Bill to provide for the repeal of the Hyderabad Securities Contracts Regulation Act, 1353 Fasli (VII of 1953 Fasli), be taken into consideration.

As the House is aware, the Securities Contracts Regulation Act was passed sometimes in 1956 with a view to prevent undesirable transactions in securities by regulating the business of dealing therein, by prohibiting auctions and by providing for certain other matters connected therewith. The Act was enforced with effect from the 20th February 1957 and recognition has since been accorded under section 4 of the Act to the principal stock exchanges in the country, viz., Bombay, Ahmedabad, Calcutta, Madras and Delhi. Two applications, one from Indore and the other from Hyderabad, are pending for consideration. The Hyderabad Stock Exchange Ltd., Hyderabad was recognised by the then Hyderabad Government under the Hyderabad Securities Contracts Regulation Act, 1353 Fasli year being a law enacted by the former Indian State of Hyderabad in the year 1943. The said Act still continues in force by virtue of article 372 of the Constitution, and is not yet repealed. The existence of the State law side by side with the Central Act namely the Securities Contracts (Regulation) Act, 1956, is likely to lead to confusion. The simple object of this Bill is to repeal this Act. The Bill is non-controversial and is hardly of an exceptionable character. It is proposed to repeal the State Act by this Bill. With these words, I move.

Mr. Deputy-Speaker Motion moved:

"That the Bill to provide for the repeal of the Hyderabad Securities Contracts Regulation Act, 1353 Fasli (VII of 1953 Fasli), be taken into consideration."

Mr. Deputy-Speaker: The question is:

"That the Bill to provide for the repeal of the Hyderabad Securities Contracts Regulation Act, 1353 Fasli (VII of 1953 Fasli), be taken into consideration."

The motion was adopted.

Mr. Deputy-Speaker: There are no amendments here also. The question is:

"That clauses 1 and 2 . . .

Shri Vasudevan Nair (Thiruvella): May I say a few words?

Mr. Deputy-Speaker: On any clause?

Shri Vasudevan Nair: Certain general observations.

Mr. Deputy-Speaker: During the Third Reading.

The question is:

"That clauses 1 and 2, the Enacting Formula and the Title stand part of the Bill."

The motion was adopted.

Clauses 1 and 2 and the Enacting Formula and the Title were added to the Bill.

Shri B. R. Bhagat: Sir, I beg to move:

"That the Bill be passed."

Mr. Deputy-Speaker: Motion moved:

"That the Bill be passed."

Shri Vasudevan Nair: Mr. Deputy-Speaker, the hon. Minister has said that this Bill is a non-controversial one. It is really intended to repeal the Hyderabad Securities Contracts Regulation Act passed in 1943. That Act was intended to prevent undesirable transactions in securities. I would like to take this opportunity to get some information from the Minister. I am referring to a problem which was very much in the light before us for some time. In 1948, when police action was started against Hyderabad, the Hyderabad Government had a fund of more than 1 million pound sterling in a bank in London, the Westminster Bank Ltd., London. We all know that at that time, the then Finance Minister of Hyderabad transferred that amount to the High Commissioner of Pakistan. There is a long history of the legal battle on

this question. The House of Lords has finally decided that this amount cannot be transferred to the Government of Hyderabad or the Government of India.

Shri B. R. Bhagat: May I interrupt? This refers to the bank or foreign exchange. I do not know how it relates to the Bill

Mr. Deputy-Speaker: I am following that.

Shri Vasudevan Nair: My point is, I want to know whether, in accordance with the assurance given by the Home Minister in this very House last year, in December 1957, any action has been taken to get back the amount that was given by the Hyderabad Government. That is all.

Mr. Deputy-Speaker: It is not relevant to this question, particularly not so far as the Third Reading is concerned. If the hon. Minister has got any information, he may give.

Shri B. R. Bhagat: I am sorry, I was not prepared for this and I have not got the information.

Mr. Deputy-Speaker: The question is:

"That the Bill be passed."

The motion was adopted.

INDIAN STAMP (AMENDMENT) BILL

The Deputy Minister of Finance (Shri B. R. Bhagat): Mr. Deputy-Speaker, I have another simple Bill which, I think, the House in its indulgence will pass smoothly. I move:*

"That the Bill further to amend the Indian Stamp Act, 1899, be taken into consideration."

This Bill seeks merely to express the existing rates of stamp duty for instruments falling in the Union List in terms of decimal coinage. This is a consequential Bill to the introduction of decimal coinage. As the House is aware, the rates of stamp

*Moved with the recommendation of the President.

duty under the Stamp Act are to be fixed in respect of some instruments as promissory notes, etc. by the Centre and the rates in respect of the others are to be fixed by the States. We are, therefore, dealing only with the former category and the States are promoting legislation regarding the latter. Wherever the existing duties, when converted in terms of the rate of conversion given in the Indian Coinage Act, resulted in a fraction of a Naya paisa, the rate applicable has been rounded off at the next higher stage in multiples of five. This has been done in consultation with the State Governments to whom the revenue from stamp duty accrues. Thus, one anna becomes 10 Naya paisa instead of 6.25 Naya paisa, after 6.25, the next multiple of five being ten. Rates such as four annas and eight annas which have exact equivalents of 25 Naya paisa and fifty Naya paisa have been converted without any effective change. The details are shown in clause 13 of the Bill.

The question of what is to be done with stamps already issued has also been considered. In the interest of economy, the existing stamps of four annas and eight annas, etc., which have exact equivalents in round figures in decimal value, have been allowed to be used until the stocks are exhausted. Necessary provision for this has been made in clause 11 of the Bill. In respect of stamps of other denominations, for example, 1 anna, 2 annas, 3 annas, etc., which have no exact equivalent value in round figures in terms of decimal coinage, suitable provision for refund of the value of such stamps has been made in clause 9 of the Bill. This is intended to save the members of the public, the stamp vendors, etc. from loss on account of the old stamps which will cease to be valid with effect from the commencement of this Act. The other provisions in the Bill are merely consequential. I hope hon. Members will feel no hesitation in passing this Bill which is merely of a consequential nature. With these words, I move.

Shri Warior (Trichur): May I rise on a point of order?

Mr. Deputy-Speaker: The President's sanction?

Shri Warior: Yes; President's sanction.

Mr. Deputy-Speaker: President's sanction is there. The President's sanction has been obtained: I might inform the hon. Member.

Motion moved:

"That the Bill further to amend the Indian Stamp Act, 1899, be taken into consideration."

Shri Warior: Sir, I have given notice of certain amendments along with my hon. friend Shri Narayanankutty Menon. The main purpose of this Bill is said to be to convert the existing duty of 1 anna and multiples of that into round decimal coinage. For one thing, they want to round off the figures and it is another thing that they want to convert them into decimal coinage. Going through the Bill, I am reminded of the story of an old woman who was blind and preparing cakes to sell. Somebody asked, why the cakes are always small and not bigger. She said that she was blind. How can it be that the blind woman can make only small cakes and not bigger cakes? Here, it is just the reverse. Rounding is at a higher figure and not a lower figure. For one anna, the decimal coinage nearest in round figures is five. But, the Minister is pleased to say that the next round is ten. This is taken to 10 which is a longer distance from 6 than 5, even half an anna is raised to ten Naya paise. This enables the State Governments to have additional revenue without a new taxation, because for every one anna or half anna, they are empowered now by provisions of this Bill to make it ten naye paise. The maximum is not made five naye paise.

The object of the amendment is also clear. We want as far as possible to give the maximum relief to the

[Shri Warior]

people and at the same time not in any way reduce the income from the stamp duty for the State Governments. We all know that these duties are all going to the State Governments, and the State Governments are empowered to determine, according to their own conditions, the incidence of the stamp duty, which is not to exceed ten *naye paise*. So, they can go up to ten *naye paise* and not above that, but I want to restrict that concession for one anna to five *naye paise*. For half an anna also we concede it may be raised to five *naye paise*, and for $1\frac{1}{2}$ annas likewise. I have given amendments for that. I think there will not be any difficulty for the Government to accept it. I do not think that it will in any way curtail the revenue that the State Governments are getting at present by this, because, even though it has been lowered for one and half annas, in certain cases, even according to my amendment, there are higher rates.

At the same time, I wish to know why the duration of six months given for refund should not be made into one year. I have given that amendment also, because in our country there are many people who may know about this legislation only after six months. People are of that type, and they may retain these things. Even 1940 coins are still retained by some people who do not know that they have ceased to be legal tender.

Another question that I want to ask is: when these things are returned, will the same calculation be made or not? For one anna stamps, will the Government give ten *naye paise* or only six *naye paise*? I want that clarification also.

Mr. Deputy-Speaker: Is there a doubt about it?

Shri Warior: I have.

Mr. Deputy-Speaker: The value of that stamp is to be determined at the enhanced value.

Shri Warior: I do not know what will be coming out. If it is the same equation, I am fully satisfied and everybody is satisfied. Even now there is confusion as to the change. In the DTS buses we were paying formerly one anna; now they are taking only five *naye paise*, but in this case it is ten *naye paise*. One institution is following one rate, and another institution is following another rate. So, there is ample scope for doubt. I wish the Government will accept one year instead of six months as the duration for exchange.

Shri Achar (Mangalore): I too would like to support the remarks made by the previous speaker.

The object of this Bill is only to round off and have the *naye paise* system introduced, but what exactly is the effect? I find throughout there is an increase. For example, one anna, as the previous speaker has mentioned, is raised to ten *naye paise*, practically doubled. If the policy is to enhance the duty, I can understand it, but the object is stated to be simply to have the *naye paise* system. However, the effect is practically to double some of the items. Somehow, in every case there is an increase. I have some experience of these stamp laws for the last 38 years or so. In the Stamp Acts one after another there is an increase. They do not definitely say that the policy is to have a sort of taxation. After all, this extra collection on stamps is not collected as a general tax from all people. It is only a section of the public that go in for litigation or for other purposes have to purchase stamps. The policy of the Government is not to increase taxation. Then, why should this particular section of people who have the misfortune to go and purchase stamps be subject to this increase of taxation by every Act?

I remember when the new postal system was introduced, there also it was said that it was not a question of taxation, that they were not charging higher, but as a matter of fact, the effect was that by its introduction in almost every item of these postal articles, whether it be card, envelope or inland letter, there was an increase. If the Government really wants to enhance and use this Bill also as a taxation measure, at least they should say that. Probably that cannot be done, but without saying that I am really unable to see why, by simply stating that we are converting it into the *naye* paise system, this should be adopted. I am unable to understand how in the case of one anna it has been practically doubled. Why not have five *naye* paise?

I find in New Delhi even the bus company people have introduced the new system with *naye* paise. Formerly where it was one anna, it has been reduced to five *naye* paise, not increased. Even the bus company has adopted that method. I do not see why the Government should also not do it. They should not increase the taxes by the simple, I would not say, surreptitious method, but anyhow a method which is not open enough. That is all I have to say.

Shri Balasaheb Patil (Miraj):
Reading the Statement of Objects and Reasons, we find it is stated:

"It is also observed that in some cases the exact equivalents of the existing rates of stamp-duty in terms of the new coinage involve fractions of *naya* paisa which require to be rounded off."

My submission will be that for one anna according to section 14 of the Indian Coinage Act we get six *naye* paise. It is not a fraction, and it is also working in the market. Why is it required that it should be rounded off, that it should be increased?

Let us read all the provisions about the rounding off of these amounts.

Clause 9 of the Bill says differently. It reads:

"Notwithstanding anything contained in section 54, when any person is possessed of a stamp or stamps in any denominations, other than in denominations of annas four or multiples thereof and such stamp or stamps has or have not been spoiled..."

This word "spoiled" has an additional meaning, that is soiled or something like that, but when the stamp is not used, it is not defaced, or it is not defaced according to the postal or any authority that uses it, it cannot be said to be spoiled. Therefore, some explanation at least should be offered by the hon. Minister about this word "spoiled". Then it says:

"...the Collector shall repay to such person the value of such stamp or stamps in money calculated in accordance with the provisions of sub-section (2) of section 14 of the Indian Coinage Act, 1906..."

The Government is selling the stamps getting ten *naya* paise for one anna, but when the private person is to give back the stamp to the Government and get the amount from the Collector, he is to get according to the provisions of the Indian Coinage Act. Why this difference between the private person and the Government? It may be the mistake of the private person that he has purchased it, that he has retained it, and so he must be put to a loss, because he will require new stamps and he will have to pay four *naye* paise per stamp. That means a loss to the private person and gain to the Government.

16 hrs.

Secondly, the provision says he will be paid back by the Collector. This is something new. For, after all, in law, or even in legal terminology, the collector pays back the money on the stamp duty, but it is given back by

[Shri Balasheb Patil]

the Treasury. There are so many things that have to be done; we have to apply; then, the collector has to see, then there are notings on files, and there are many officers through whose hands the files have to go; and after nearly six or ten months or even years, the order for the refund is given, and then we get the money.

Therefore, my submission is that the Minister should think over this and make it very simple so that a person going to the collector with the stamps will get the amount within a few days without unnecessary trouble and harassment. I hope Government will think over this seriously.

Mr. Deputy-Speaker: I think we can resume the discussion on this Bill tomorrow.

Shri B. R. Bhagat: We can finish it today.

Mr. Deputy-Speaker: There are some other hon. Members also who want to speak.

Shri B. R. Bhagat: I do not think there are any other hon. Members desiring to speak. I shall just take a minute or two.

Some Hon. Members: We shall take it up tomorrow.

Mr. Deputy-Speaker: We shall take it up tomorrow.

We shall now take up the next item on the Order Paper.

MOTION RE: REPORT OF UNIVERSITY GRANTS COMMISSION

Shri Harish Chandra Mathur (Pali). I beg to move the following motion standing in my name and those of eleven other hon. Members of this House:

"That the Report of the University Grants Commission for the period December, 1953 to

March, 1957, laid on the Table of the House on the 3rd March, 1958, be taken into consideration."

It will have to be conceded that we wasted a lot of time, and very valuable time at that, and were not even able to appoint the University Grants Commission till 1956. It is true that certain ad hoc arrangements were made, but these arrangements were half-hearted and perfunctory, and those persons whose hands were already full with other work were asked to carry on as chairman and members of the commission almost as off-time jobs. All this has happened, and what is much more important is that university education has been ignored at the most crucial time in the nation's history when new problems and new ideas in the wake of Independence and Partition had a great impact on our life. And during these seven or eight years, when university education has started expanding under very abnormal circumstances, during this very crucial period in the nation's life, it is really painful and unfortunate to find that there was little or nothing done to see that a certain new content and certain new values were given to our university education so that the already low standards of education did not further deteriorate and more co-ordination was brought about.

I mention this only to stress that these circumstances have cast a far greater and accumulated responsibility both on Government as well as on the University Grants Commission. Now, they have got to tackle problems which are the resultant of a situation which went uncared for, and at a time, which, as I mentioned before, was the most crucial in the nation's life. But I have to hesitate in congratulating Government on the composition of the University Grants Commission when it was appointed in 1957. The personnel of the commission is certainly unexceptionable; it commands the respect and confidence

of the people. And we must take this opportunity to express our gratitude to the present chairman of the University Grants Commission who in certain very difficult circumstances was able to rise above the situation and accept the chairmanship of the University Grants Commission and without any remuneration. Though he has been working without any remuneration, still it will have to be acknowledged that he has put in extraordinary zeal, and he has worked in a selfless manner.

I am also prepared to concede, and it is gratifying to acknowledge, that during the year 1956-57, a little commendable work has been done by the University Grants Commission; though they were working under certain handicaps, constitutional as well as financial, and though because of those limitations, their physical achievement is not very much, yet, what is much more important, to my mind, is that a good bit of thinking has been done. Good thinking has been done by the commission as well as by certain committees. And as we go through the report, we also see that there is a determination to go ahead and to tackle the problems in a bold manner. This too is acknowledged by all of us.

But I am really sorry to have to say that Government have not played their part in the game. My hon. friend whom I personally hold, and we hold, in personal affection, made a loud claim on the floor of the other House the other day that the universities, the Centre and the University Grants Commission had all worked in a spirit of concord; he said that they worked in an exceptionally harmonious manner. I am afraid I cannot admit this claim by the Government and by the Minister.

If we go through the report, where do we find the University Grants Commission coming in immediate contact with the Ministry? We are told that the co-operation and assistance of the Ministry is wanted. Though it

is a very dignified report and written very well, still if we read through the lines, we find that they leave an unmistakable impression on anyone who reads with his eyes open, that the University Grants Commission did not get the co-operation and support which they were legitimately entitled to get from Government.

The University Grants Commission have mentioned that even during 1956-57, they were told by Government that they would get only Rs. 2.75 crores, excluding, of course, certain grants for the Central universities. They had, as a matter of fact asked for Rs. 5.24 crores. If these demands were exorbitant and exaggerated, then we could understand the difficulties of Government. But my submission is that these demands were absolutely within the Plan, and within the provisions which had already been made; and still, these amounts have not been made available.

And the matter does not end here. The commission further complain that they do not know what they are going to get during the rest of the Plan period. If they do not know what they are going to get during the rest of the period, how on earth are they going to plan, and how on earth are they going to draw up their programme, and on what basis are they going to make funds available to the various universities where they have got to do a colossal job? I submit that this is very unfair to the commission.

We understand that a sum of Rs. 27 crores has been set apart for the University Grants Commission, or rather for the universities, I might say. But the University Grants Commission does not know whether the whole amount will be made available or not. At a time when the country is clamouring and the country is feeling very much perturbed about the deterioration in the standards in the universities, it is really shocking to know that our hon. friend is not even in a position to say that the amount which has been set apart will be

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made available. If this is the state of affairs, then how on earth are we going to expect the University Grants Commission to work with any amount of satisfaction?

The only other matter which the Commission referred to Government was regarding the affiliated colleges—I am talking about the co-operation and support given by the Ministry. There is no other important matter which was referred by the Commission to the Ministry. They recommended that improvement in the affiliated colleges is essential, it is the crux of the problem and it has got to be solved. The additional expenditure should be shared by the Centre and the States. But the Central Government do not see eye to eye with the Commission, and they do not know what they can do in this matter. They have made a reference to it in the Report itself.

The Minister of Education (Dr. K. L. Shrimall): May I inform my hon. friend that Government have already taken a decision with regard to the affiliated colleges? They have approved of the scheme which was prepared by the Deshmukh Committee and it is now in the process of implementation. The matter was under consideration when the Report was submitted by the University Grants Commission.

Shri Harish Chandra Mathur: I am very glad that after all, Government have seen light and reason. I would like to remind my hon. friend that at the time the University Grants Commission was constituted, we stressed this point very much on the floor of the other House. I said—you cannot even touch the problem, you can do absolutely nothing until and unless you extend your assistance to affiliated colleges. I do not know exactly the percentage; possibly 90 per cent of University education is being imparted by these colleges. Now we have been clamouring from 1956 when this measure was brought before the

House, and even in this Report it has been said that Government do not see eye to eye with the Commission. I am very glad to learn that this has been conceded after all. They should have had the proper vision. As a matter of fact, the lead should have come from the Government themselves. They had all the criticism. If there is no lead from Government and if in spite of the criticism offered in the House, if in spite of the recommendations of the Commission, all sorts of obstructionist policies are followed and demands are not conceded in time, it will necessarily have its own effect.

While talking about affiliated colleges, there are the grades. You will be surprised to know that in these colleges where you have got even post-graduate studies, the grade for the Principal has been proposed as Rs. 600—800. Now, this grade has got to be examined. I shall be perfectly satisfied with this grade Rs. 600—800, but then it has got to be examined in the context of the pay structure obtaining in this country. Let us not forget that this grade of Rs. 600—800 is much less than what an Under-Secretary gets; it is even half of what a Deputy Secretary gets. If this is the approach that they have got, if they want that heads of post-graduate colleges should get half the salary of a Deputy Secretary or Under Secretary, then let us have no illusions; let us be very clear in our minds that we are going to have third-rate teachers in the profession and that the standard of education will continue to be very low and will deteriorate.

There is no other choice and no other go. I know the difficulties of Government. I can say that we cannot go beyond our means. But let us have a proper pay structure. Now the Pay Commission is sitting. I think this question should be brought strongly before the Commission. The entire integrated pay structure of the country has got to be examined if we

are going to make any advance and improvement, if people of light and learning are to be drawn to Universities, if first-class people are to be drawn to the engineering line and the industrial line on the one hand and to the teaching profession on the other. That is most essential if we are to make any progress worth the name. So my hon. friend should not be grudging in this. I think he will have to display a lot of strength and vision. He will have to go about in this matter not in the hackneyed manner, not in a routine and rut manner, but he will have to develop special strength to deal with these problems if we are really to break the ice.

Having said this, I would like to say a word about the question of matching grants. The University Grants Commission has also referred to it. They say that it gives rise to a lot of difficulties and delays. I would like to know from the hon. Minister whether the Central Government have given any thought to this matter or not and how they are going to deal with this matter. You will be surprised to know that even when the Central Government were prepared to give a particular set of grades to Universities, it is only about 14 Universities who have taken advantage of it; the other 7 have not taken any advantage of it because of this trouble of matching grant.

Now, I am talking on a fundamental basis on a fundamental question when I am talking about matching grants. I would like to invite the Minister's attention to what the Finance Minister stated in the other House. He said that in a welfare State, the question of the resources of the States as distinct from the resources of the Centre does not arise at all. It is against the concept of a welfare State. I wish my hon. friend to revise his notions about these matching grants, about the responsibilities of the State

Governments. We have a welfare State. Take, for example, the State of Rajasthan. Is it not a fact that that State has done all it could possibly do to raise additional revenues? The Planning Commission said that the State has to raise another Rs. 8 crores during the F. Y. Plan. They have gone out of their way in imposing all burdens on the poor people and have raised additional Rs. 8 crores, and yet they are not able to take advantage of this matching grant. Am I to understand that these States are going to be starved? Am I to understand that the standard of education in half the States in India is going to be different from that in the other half? Is that Government's concept of a welfare State? Is it not an ante-diluvian concept which is better discarded earlier than later? The Commission has itself invited attention to this.

Then the attention of the Commission should be pointedly invited to two most important factors. One is the failures in Universities. I think it is only in this country that failures of students are so abnormal. Let us imagine what colossal national wealth, national energy and national time are lost over these. It is not the system of examination that I am talking of; it is the system of education that I am referring to. Something has got to be done. Maybe, they want to admit to Universities only persons who get 50 per cent marks. But this colossal waste of national wealth and national energy in terms of these failures have a hundred and one evils flowing from them, as the position exists today. Most of the difficulties and evils we face are due to this unsatisfactory state of affairs, the failures in Universities. Immediate thought should be given to this matter.

It becomes the responsibility—we will not blame the students once they admit the students—of the institution, it becomes the responsibility of the University to see that during the prescribed time they impart them education which fits them to pass the examination after the specified period.

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Otherwise, it means a colossal waste of time.

Another thing also is relevant. Though we are limited of funds, there is considerable waste of money in Universities. I know of a particular University where from year to year it has been pointed out that there are no regular accounts being kept, and that huge waste is being indulged in. This wasteful expenditure will have to be taken note of before the University Grants Commission makes funds available to the various Universities.

I also want to know what is the position of the University Grants Commission so far as the scientific and technical personnel is concerned; whether the University Grants Commission has any responsibility for the higher technical education or not. My mind is not clear. As I said the other day, I do not feel at all happy about this bifurcation of the Ministry. I am not able to understand and I cannot understand how it can work efficiently. The University Grants Commission is under the control of my hon. friend here.

At present this country is very much concerned about the stepping up of technical education and about scientific personnel. Has the University Grants Commission got any responsibility or not? Will the University Grants Commission be able to give the same treatment for the requirements of technical personnel? Who is going to judge it? Is my friend going to judge it or somebody else? How is co-ordination going to be brought about and how is the responsibility going to be discharged?

We had a resolution placed on the Table of the House by the hon. Prime Minister. We do not know what has been done since then, to give effect to the fine ideas embodied in that resolution. I would feel grateful if my hon. friend enlightens us on this subject, because there must be a cer-

tain body which plans our scientific and engineering personnel. The Prime Minister in his public utterances has all the time been saying that this is our great bottleneck. He spoke only the other day. But, I wish to point out that there is no proper planning of the requirements; and, much more than that, there is absolutely no planning for the utilisation of the scientific personnel. Nobody knows that.

I would like to know from my hon. friend, who is responsible to say that there is proper utilisation of the scientific and engineering personnel. If there is any investigation made, it will be found that most of the engineering talent in this country is being wasted. They are not doing the engineering job at all; they waste most of their time like Babus in office. At the time when the country needs technical personnel, why is it that much of our talent is being wasted? Even the existing talent is being wasted. I know it from experience that at least 60 to 70 per cent of the time of our engineers is wasted simply in office, doing the administrative job or the Babu's job. I think there should be a certain authority because they alone will be able to do something about it.

Another most important point to which I would like to refer is about the medium of instruction in the Universities. I feel deeply concerned about it. I think a lot of harm has already been done in this country because of the wavering and the indecisive policy of the Centre as well as the States in this matter. We are going to be worse off than what we were in the past. At least we had one medium of instruction in all our Universities before independence, whether it was English or whatever it might be. But, now, if the regional languages take the place of the medium of instruction, let us calmly visualise what is going to happen. Apart from the falling standards, apart from the various hundred other

difficulties which might arise out of it, what is going to happen? Today my son is receiving education in Bangalore in an Engineering College; and Shri Dasappa's son is receiving education in Delhi. Are we then going to stop this? I think the University Grants Commission should give proper thought to this matter.

They have been giving thought to something which is far less important, about the standard of English. I am not very much concerned with it. Of course, we must maintain a very high standard of English. It is true English has its own place. English will certainly be required for international use and also for our use here. But, what is most important is, what is going to be the medium of instruction. I should say that until and unless we come to some agreement, let English continue to be the medium. There is no harm. Let us not be in a hurry. Let us not do any harm to ourselves by adopting the regional languages in the various Universities. The regional languages have their own place. They can be given all the filip they can be stimulated and encouraged in any manner you like. But the integrity of the country, the national unity of the country should, under no circumstances, be impaired by adopting the regional languages in any of the Universities and the University Grants Commission should make....

An Hon. Member: What is your suggestion?

Shri Harish Chandra Mathur: Let English continue till we are agreed. I am prepared to adopt Telugu. What does it matter if Telugu is adopted as the language for the entire country, if you are agreed upon it? It does not matter. But, let there be one unifying language which is adopted by the entire country so far as University education is concerned. Let us all understand each other. Let your son go and study in Rajasthan; and let my son go and study in Hyderabad. There should be no bar and there

should be no difficulty; and that is all I am interested in. Till you come to any conclusion, let English continue. There is no harm. It would be far more dangerous to impose these regional languages in our efforts simply to oust English.

In conclusion, I would say that another important aspect to which the Universities have got to give their attention is the very purpose of the University. It is time now that we examine and investigate whether the Universities are fulfilling the purpose for which they are meant. Don't think I am crazy, or that I am making novel suggestions.

Only during last May, in May 1957, in England in the House of Commons an hon. Member tabled a resolution asking for the appointment of a Royal Commission to enquire into whether the Universities are fulfilling the purpose for which they were meant. I am not suggesting the appointment of any Commission; but, I do suggest that the University Grants Commission itself examine this question whether the purpose is being fulfilled. One of the purposes, we know, is to cater to the vocational needs of the community. What are the vocational needs of the community? The Universities must so plan and organise that they bring about national unity. I think little or nothing has been done in that direction. We have lost in the beginning, the most valuable 7 or 8 years. We must bring about emotional, moral and mental integration. Universities must pay particular attention to strengthening the moral fabric of our students.

There are so many other points; but I think there would be many other hon. friends who will be speaking and they will be dealing with them.

Mr. Deputy-Speaker: Motion moved:

"That the Report of the University Grants Commission for the period December, 1953 to March, 1957, laid on the Table of the

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House on the 3rd March, 1958, be taken into consideration."

May I know roughly how much time the hon. Minister would require?

Dr. K. L. Shrimall: It will depend upon the points raised; anyhow, I may take about 25 to 30 minutes.

Mr. Deputy-Speaker: We have got only one hour for the other hon. Members to speak. So let us have 10 minutes each. Shri Mukerjee.

Shri H. N. Mukerjee (Calcutta—Central): Mr. Deputy-Speaker, Sir, when the University Grants Commission Act was passed some two years ago, the country and Parliament had great expectations. Its Chairman, whom we miss here in this House, a scholar with versatile interests and, at the same time, an eminent administrator, is naturally somebody from whom we have a right to expect a great deal. Yet, I fear I cannot enthuse over the work which is reported to the House.

This report, I should say in the beginning, is a rather sketchy affair. The idea of the University Grants Commission was that it should look after the expansion of educational opportunities, it should look after the determination and development of standards that it should try to improve the conditions of life and study as far as the teachers and the students were concerned and that it should also link up educational programmes at the higher level with the requirements of the Plan. It is from these points of view that I find its work rather discouraging.

Of the 33 universities in India, four are "the direct and complete responsibility" of the UGC. These are the words used by the Commission in its report. Of the four, Viswa Bharati has been for sometime in a sort of a mess. This university has for its Vice Chancellor one of our foremost scientists and a very lovable personality but pettifoggers have fairly made

it impossible for the ideals of ashram education, which Rabindranath Tagore had when he started his school at Santiniketan, to come to terms, as it must, with the modern requirements of education. Perhaps if the Commission had tried to do so, it could have effectively intervened but it has not done it. I have heard also unsavoury reports about Benares. I am not so sure about what is happening in Aligarh. Perhaps Delhi alone has a presentable record but Delhi is not the whole of India and the credit for Delhi doing whatever it has been doing should not go to the Commission alone.

The Commission has complained and the Minister should, I feel, refer to this matter, that new universities have sometimes been set up without prior consultation with the Commission. Naturally, in the plan period we cannot have universities which are unplanned and it is not enough for the Ministry just to come to us and say that the States have their autonomous rights. There is no reason indeed for the Centre to be supine and look on. I am sure the States will not be unreasonable when the position is explained to them.

The Commission has no doubt done some good work as far as upgrading the salaries of university teachers is concerned. But in regard to the teachers of affiliated colleges I fear it has moved very slowly and even now things are not in a very happy posture everywhere. I know it is not entirely the Commission's fault since matching grants have to come from the States or from the institutions concerned. But the fact remains that the brunt of graduate teaching in this country is borne by affiliated colleges some of whom might be badly run but on the whole they represent a long and creditable tradition of educational idealism. I find, for instance, from recent answers given by the hon. Minister to questions in the House that the West Bengal Government has agreed to offer matching grants for colleges where the student roll does not exceed

1500. This is a proviso, which, the Chairman of the UGC knows very well, because he went to Calcutta and got to know the conditions there, will exclude very important institutions which could not overnight change their pattern of work. This is a matter which pertains not only to West Bengal but to other States like Kerala and others which I could name. I wish the Government seriously applied its mind to this aspect of the matter.

Then, I find that the three-year degree course is now more or less a settled fact and the UGC and the Government are both going to see that it is followed everywhere. Very probably, it is a very good idea and a very excellent scheme—the three-year degree course. But there had been trouble with the Finance Ministry earlier and though my hon. friend, the Minister, recently assured us that there would not be any trouble any further, there is no provision so far in the Budget of 1958-59 on this account.

Quite apart from the financial provision, we cannot forget that universities like Bombay—one of the premier universities of this country—and Agra have said that they cannot adopt the three year degree course. Other universities which willingly or otherwise have accepted this scheme find that arrangements are lacking, arrangements which would like the secondary education structure with the universities. The Ministry of Education has had a programme for setting up a little over 500 multi-purpose schools and to assist some 300 schools for science teaching. But this is a drop in the ocean. The States of course are to do whatever they can but I will give you the instance of West Bengal where there are nearly 1800 high schools of whom only some 300 have been upgraded so far. I submit that the justification of the three-year degree course and its success are linked up with the question of the upgrading of our present secondary schools or at least with providing interim arrangements for a pre-

university course of study. All that is perhaps not in the Commission's street but in a period of planning particularly, the UGC does not function in a vacuum.

The Estimates Committee of this House lately called for perspective planning and naturally we expect that the UGC with its carefully chosen personnel would respond to that call. I am sorry to have to say that the Commission continues to function almost as if it were another Government department. In this connection, I refer to what was quoted in the *Education Quarterly*—a Government of India publication in its March, 1958 number reporting the observations made by Dr. J. C. Ghosh, a member of the Planning Commission who said last year that there was a colossal waste of time and money because our system was dominated by external examinations rather than by good teaching. He gave certain figures. About 10 lakhs were appearing at the Matriculation examination and out of them 5 lakhs will fail. 4 lakhs would appear in Intermediate examinations and two lakhs are going to fail. Perhaps 1 lakh will ultimately get some kind of a degree and this means callousness and frustration as well as financial loss; and anti-social activities which such failures create are taken almost as a matter of course. This is the observation which he made and in connection with this, the writer in the *Education Quarterly* points out that in China in 1955-56, only 0.61 per cent of the total enrolment in the universities were not allowed to go up to the next class or to obtain a diploma or degree at the end of the year and only 0.23 per cent of the total emoluments were dismissed. Here the position is desperate and it needs to be looked after. And that is why the Commission's hands as well as the hands of the educational administration should be strengthened.

I see also that with the report appends a number of photographs of buildings in the process of construction. I was reminded of the Prime Minister who said lately about the PWD mentality prevailing in certain

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sections of the administration. I notice a passion for multi-storeyed buildings in this country. We have a gloriously sunny country but they put up mammoth structures that darken the inner space and they only provide air-conditioned comfort on for the fortunate few inside mausoleum-like structure which we put up. We do not know how much beauty would be shored against the ruins of Delhi a few centuries hence. In any case we are putting up this kind of structure. Handsome buildings are all right but let us remember the adoration of the Estimates Committee which says that there should be modest programmes as far as the construction of buildings is concerned. The Estimates Committee discovered for instance that in the Technological Institute at Kharagpur, there were so many very precious and valuable instruments lying unused but there was such a programme for building constructions of all sorts which they did feel called upon to object to. In Calcutta, for example, I find the Centenary grant is to the extent of a crore of rupees and out of that Rs. 45 lakhs are earmarked for a multi-storeyed building. I do not see why it should come to be built. We are short of steel and cement for essential purposes.

My friend's Ministry has a low-cost housing expert; I do not know what the low-cost housing expert says about these matters. If we want to have buildings for educational purposes, let us have buildings in conformity with the traditions of our country. Our teachers never wanted commodious accommodation of the sort which present day demands appear to indicate.

I feel that monies could be expended in other ways. There is a centenary grant to Calcutta, Bombay and Madras of Rs. 1 crore each. They are spending it, God knows on what. Calcutta is going to spend so much on a multi-storeyed building. Could not they have a plan....

Mr. Deputy-Speaker: The hon. Member should try to conclude now.

Shri H. N. Mukerjee: Sir, could I have five more minutes?

Mr. Deputy-Speaker: It cannot be extended to 15 minutes.

Shri H. N. Mukerjee: Sir, I will try to finish as soon as I can. I feel that they could have a plan for bringing out a number of books, not just 'cram books' but real academic productions in the languages of the country. They could have a scheme for extension lectures. They could bring foreign scholars. They could expand library facilities, not by putting up new buildings but in other ways. They are not doing it.

I see also that the University Grants Commission appears to be in favour of retention of English as medium of instruction in the university stage. If so, let the U.G.C. speak up its mind. Otherwise, let us make as good a start as we can in regard to the development of our own languages and at the same time decide what should be the role of English. In regard to that, the U.G.C.'s pronouncements should be more categorical and should not be given in the tentative fashion of Government departments.

I shall conclude, Sir, by referring only to two matters. One is that I feel that if we are going to have real education in this country it has got to be purposive and, to be purposive you have to evoke pride in your past; and at the same time to prepare and train people who would be equipped for scientific and technological jobs which need to be done today. To these two tasks attention has not been shown. A Sanskrit University is put up at Kurukshetra, while actually you could develop the Banaras University or the Chidambaram University. Buddhist studies has a chair at the Delhi University, which has not even a provision for the teaching of Pali in the higher stages. There is this kind of wastage of money done as far as humanities are concerned. But you ought to have maximum possible provision in our country for technological development. There is no liaison

between technological institutions and the U.G.C., and the result is that the planning is not done properly.

The report also refers to certain things like the members of the Commission or the members of the staff going abroad. I find that the Secretary, for example, spend nearly half the year abroad. I do not think it is necessary at this stage of our country's progress to go abroad from time to time to find out more details about the kind of education which we should have. We can ask if necessary, foreign scholars to come to this country. Now the Secretary goes out and the Assistant Secretary who is a matriculate—he may be a very capable officer, but he is a matriculate—is in charge of the administration. This kind of thing happens, and I feel that this is a very great element of weakness in the administration.

What is wanted is a new spirit so that our country can be enthused. The U.G.C. has a personnel which commands the confidence and respect of the country. Therefore, they should speak with a stronger voice. They should impose on Government the adoption of policies which would bring about something like an evocation of pride in our past and the efficient performance of the technological tasks of the present.

Shri Hem Barua (Gauhati): Mr. Deputy-Speaker, Sir, it is said that the University Grants Commission is modelled on the British pattern, but when I compare the University Grants Commission with the University Grants Committee, as it is called in the United Kingdom, I find that there is a lot of difference between the two.

When I examined the report of the University Grants Commission, I found that the main purpose of this Commission is allocation and disbursement of funds. The funds are those that are placed at their disposal by the Government, the funds that the Commission obtains. Those are the funds that are distributed among the different universities in this country, not according to the needs of the uni-

versities but according to the funds made available by the Government.

We find that during the Second Plan period there is an allocation of Rs. 27 crores. During 1956-57 there was an allocation of Rs. 2.42 crores and during 1957-58 there was an allocation of Rs. 2.75 crores. This pace is very slow. With this pace I doubt very much whether Rs. 27 crores allocated for the Second Plan period would be covered altogether or not.

Sir, when we compare the University Grants Commission with the University Grants Committee in England, as I have already said, we find that there is a lot of difference between the two. What are the functions of its British counterpart? Its British counterpart controls the entire university education in that country. Here the University Grants Commission does not control the entire set up of university education in this country. There is a sort of quadrangular control in this country. Here the universities are controlled to a certain extent by the University Grants Commission, they are controlled by the Central Government, they are controlled by the State Government and they also control themselves. Therefore, to say that our University Grants Commission is modelled on the British pattern is a misnomer, is a betrayal of facts.

I have gone through the report. I have closely examined the functions and responsibilities that are enjoined upon this University Grants Commission. As I have said, I find one central motif running through its responsibilities and that is the allocation of funds. This is called a Grants Commission, and perhaps, with an idea to justify its nomenclature it is burdened with that sort of responsibilities. When I read the report I got only one impression, the impression of a commercial manual rather than of a document that is concerned with a subject as alive and as soul-stirring as education is. It lacks in attitude and there is a basic absence of policy and plan that determines the work of the

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University Grants Commission. One looks in vain for a basic approach to programmes in this report. The report is only a dry cataloguing of certain statistics and facts.

Now, what is the attitude that its British counterpart has? The British counterpart has the responsibility of examining, prescribing and making recommendations towards national needs. In this University Grants Commission we do not find any recommendation like that or any responsibility like that.

I think university education is two-dimensional—research and instruction. What is the attitude of the University Grants Commission towards research and instruction? That is not plainly stated in this report. The purpose of university education is to meet the challenge of time. What is the challenge of time today? In our country it is the challenge of technology, industrial development, science. In the world there is the challenge of the Sputnik. In the United States recently I have found that the Federal Government has made available 5000 stipends and the State Governments have made available 10,000 stipends to meet this challenge of space. Here we are having the challenge of industrial development, challenge of technology, challenge of scientific development. In the report of this University Grants Commission there is no approach, no attitude, nothing of that sort to these challenges.

At the same time, I find from the report that the University Grants Commission wants to be a fully free body not subject to frequent and detailed scrutiny by Government like its British counterpart. But, as I have said, to me the University Grants Commission only appears to be a post office of the Education Ministry—nothing more or nothing less. That is why there is a lot of pessimism running through this report, a lack of confidence, a lack of faith in it. I do not hold the University Grants Commission responsible for it. I hold the Government responsible for it,

because the Government has failed to infuse the necessary faith into it, the necessary confidence into it. It has failed to give it the necessary autonomy and the necessary freedom. When I compare this with its British counterpart, so far as the British counterpart is concerned, its advice is accepted without debate, and it is exempted from financial investigation by Parliament or by the Public Accounts Committee. But here it is not so. In 1957-58, the University Grants Commission made a demand, after consulting the different universities, for a grant of Rs. 5.24 crores and the Government promised only Rs. 2.75 crores. They cut it down by half,

Now, I find from the report certain practical difficulties. One of them is the pressure of students, so far as universities are concerned. The report says that in 1951-52 there were 4 lakhs of students in our universities and that today there are 7½ lakhs of students. There is an annual increase of 50,000 students, and the receipt or prescription given by the University Grants Commission is, "consolidation rather than expansion is the need of the day". I quite understand that. We have to consolidate our achievements, but, at the same time, I do not understand or I am not able to understand that consolidation means total eclipse of its functions. Consolidation and expansion are not mutually exclusive terms. At this stage, when we are building a democracy and when freedom has opened the floodgates of opportunities, it is quite natural for people to hunger after higher education. During the British time, educational facilities were determined by the bank balances, and that is why we find that there were two broad divisions of the people in our country, the privileged few who had the opportunity of education and the unprivileged many who did not have the opportunity of education. That was the broad division in our country. If the same thing is to continue today, I would say that the purpose of the University Grants Commission defeats itself.

It is a fact that there is an onrush of students. But where is the solution? The solution is there, England also faced this problem after the second world war. I suggest that there should be a bifurcation in the post-matric stage. There must be more technical institutions. We need more men of the professions, and commercial institutions. If we can divert a mass, a section of our student population, in the post-matric stage to these institutions, professional and commercial institutions, I think the onrush of students on the universities could lessen. Then there might be another process, the process of screening. That process of screening is possible only after we make provision for the absorption of students in other institutions.

Then there is another thing that the report says. The report says that the teaching profession has ceased to attract the best men and women. For this, the teaching profession is not to be held responsible. For this, I will hold those people who administer the education departments responsible. The teacher is often called the fly-wheel of the educational machinery, but at the same time, the teacher is lowly paid. He is treated with contumely. He is neglected. At the same time, our leaders raise slogans, slogans of high ideals, of sacrifices and sufferings on the part of teachers. They ask the teachers to emulate the high ideals of our ancient *rishis* and *gurus*. But our people forget that the socio-economic conditions of those days are not the socio-economic conditions that obtain today. I would say that when the walls of the stomach burn and irritate, it is more than cruel to try to hammer into the heads of the teaching profession, the teachers, the high ideals, however, noble they may be, of our ancient *gurus* and *rishis*, because the socio-economic conditions in which the *rishis* and *gurus* lived and taught the students are not at present obtaining here.

I am glad that the Education Minister has pointed out the fulfilment of the minimum scale prescribed by the

University Grants Commission for the teachers of the affiliated colleges. When the University Grants Commission made the proposals they said that these proposals were to be given effect to from the 1st April, 1956. During all these two long years, except the State Government of West Bengal and that too under duress, the other State Governments refused to co-operate with the University Grants Commission. At the same time, the University Grants Commission could not enforce its decisions or recommendations on the State Governments because of the tier-system of administration. The University Grants Commission, in the circumstances, reminds me of that organisation called the League of Nations, grandiose in structure, grandiose in aspirations, but without power to enforce its decisions on its constituent units. That is what I am reminded of. But I thank the Education Minister for making this announcement on the floor of this House. After a long wait, lasting for a couple of years, the Government have at least seen the necessity of fulfilling the demands of the teachers belonging to the affiliated colleges.

About student indiscipline the report has said certain things. About student indiscipline I would say that there are social factors also. It is a fine thing to see that the University Grants Commission is desirous of making physical amenities available for the university students. Besides that, society must take a responsibility. Unless and until society takes a responsibility, the student population cannot be said to improve in spite of the physical facilities, because the students live in the educational institutions only for the time being, for a brief period, and the little light that they get from within the four walls of the class-rooms, when they go out,—gets lost and blurred in the enveloping darkness that is modern society today.

Shri D. C. Sharma (Gurdaspur): Mr. Deputy-Speaker, Sir, I congratulate the Ministry of Education because, when I scan the educational map of this country and also the

[Shri D. C. Sharma]

educational map of some of the progressive countries in the world, I think that in no country, no Ministry of Education is so prolific as our Ministry of Education. If you could judge the performance of a Ministry by the number of Commissions it has appointed, by the number of Committees it has, by the number of Committees that are there but have not submitted their reports and by the number of Committees that have been appointed but have never met, I think our Ministry of Education will deserve the first prize in any part of the world.

Mr. Deputy-Speaker: It is not the Ministry of Education that has to be considered; it is the report of the University Grants Commission.

Shri D. C. Sharma: One of the great things done by this Ministry of Education is that it has appointed this University Grants Commission. When we have the University Grants Commission, the Council for Elementary Education, the Council for Secondary Education, the Sahitya Akademi and the Lalit Kala Akademi, when we have all these beautiful children of the Ministry of Education, I feel honestly that the children should supersede the parents. I submit very respectfully that the children should be allowed to work independently, in their own right, work as self-existent and self-sufficient units, and as was said by my hon. friend Shri H. N. Mukerjee, to do something for the improvement of education and also for the improvement of culture.

Somebody talked about a scientific policy and all that. For that, we have also a Council of Industrial and Scientific Research. Therefore, I do submit that when I look at this report of the Commission, I feel happy because I think this Commission has done good work within the limited resources, within the limited funds at 17 hrs.

its disposal. This Commission has done its work quite well and if the Education Ministry, in the course of

a year or two, appoints such commissions, I think it will be a very happy day indeed for the country, because then the confused manner in which our education is being run in this country will disappear, and because I think there will be somebody from whom elementary education, secondary education and University education can take their cue. From that point of view, I think the Ministry of Education should specialise in these things and should bring up the children in a vigorous fashion and retire, so to say, into some kind of inactivity, so that they can do their work properly.

Now, the University Grants Commission has a very illustrious Chairman and I join my hon. friends who have paid tributes to him. I also pay tributes to Shri C. D. Deshmukh, because I know he has given a new look to the University Grants Commission. But the University Grants Commission is mainly concerned with the Central Universities, Delhi, Banaras Aligarh and Viswa Bharathi. Now what is their condition. There is an inquiry committee to inquire into the Banaras University. So far as the Viswa Bharathi is concerned, I do not want to say anything, because it is associated with the illustrious name of the greatest poet of India in the modern age. Aligarh is taking shape. Regarding Delhi University, we live in Delhi and we know all about the Delhi University. It can be seen from the columns of the newspapers and more from the extension lectures and from the propaganda sheets; and raising the standards of education what it has done for advancing scholarship is not known. All this is happening. Therefore, the University Grants Commission has not much to show, so far as the Central Universities are concerned.

Then, what about the State Universities? I will admit that the University Grants Commission has been doing something for the State Universities. I cannot deny it. But what are the State Universities? The State

Universities are like a map. The reality behind that map is a territory, a population. Similarly, the State University is a name. The reality behind these State Universities are the affiliated colleges. The affiliated colleges are the blood of the State Universities, are the life of the State Universities. Of course, the affiliated colleges may be leading a precarious life. An affiliated college may not be paying its staff as adequately as possible. All these things may be there. But I should say that the University Grants Commission doing something for the State Universities without thinking in terms of affiliated colleges is a very unreal thing. The affiliated colleges are the backbone of the Universities. If you do not think about them, you are not moving in the right direction. My friend over there said that if you give these teachers what you are at present giving, you will only get third-rate teachers. Now, I would judge the University Grants Commission and I would judge these things by the improvement that you can show in the salaries of teachers in the affiliated colleges, in the conditions of their service, and in the raising of the educational standards in these colleges I am very very unhappy when I say that the University Grants Commission has not done its duty by the affiliated colleges so far.

Then, I am glad that the University Grants Commission has taken a step so far as the welfare of the students is concerned. For instance, I find from the Report that they are going to get some scholarships, that the University Grants Commission is going to give money for the building of hostels and all that. I am very happy. But India is a poor country. This morning I was reading in a paper about China, and I was told in that paper that in the Universities of China every one student out of two students should be a student who comes from the family of a peasant or the family of a worker. So, what I wish to submit is that unless University education is made available

to these persons who do not have enough of money to avail themselves of it, I think all our State Universities, all our Central Universities, all our commissions, all these things, will not further that objective which we have in our country, the socialistic pattern of society.

Therefore, I would submit very respectfully that the University Grants Commission should apply its mind in this direction, and when it does something in that way, I think perhaps the Universities also may follow suit.

I will now come to another point. If you read the report of the Commission and the Ministry you will find that this Ministry is specialising in sending people abroad. I do not want that people should not be sent abroad. They can send them abroad. But the kind of "over-fondness"—I was about to use a harsh word; I have corrected myself—that they have developed is not good. They have developed a kind of excessive fondness for sending people abroad. I would ask: what is the good of sending them abroad? When they come back, do you try to take advantage of anything that they have learnt and put them into practice somewhere? Have they submitted any reports? Of course, they will submit their reports. But, have the Ministry taken any action on them? So, what I wish to submit is this. The Ministry of Education should give more money to the University Grants Commission and to elementary education, Sahitya Akademi and Lalit Kala Akademi. It could be like a parent who is superseded by his children. He is a happy parent who feels eclipsed by his children. These are the children of the Ministry of Education and they are fast eclipsing it. I think the Ministry of Education should help in the process of being eclipsed by them. I think that way lies the salvation of India.

My hon. friend was talking about the challenge of the times. I agree with him. We are facing that challenge of the times, but I submit, if our education is changed then we will

[Shri D. C. Sharma]

meet the challenge of the times; otherwise we will go on in this routine fashion. I know the Ministry of Education, like other Ministries, has made an art and a science of routine.

श्री सिंहासन सिंह (गोरखपुर) :
उपाध्यक्ष महोदय, देश के जीवन स्तर और उस के हर एक भंग को भागे बढ़ाने के लिये शिक्षा की बहुत आवश्यकता है। लेकिन सरकार शिक्षा को क्या महत्ता दे रही है, अगर हम इस पर विचार करें, तो शायद दुःख के साथ कहना पड़ेगा, और युनिवर्सिटी ग्रांट्स कमिशन की रिपोर्ट में है, कि सामूहिक रूप से उस का ध्यान इस तरह बहुत कम है। अभी अभी हाल में एजुकेशन मिनिस्ट्री को डाउनग्रेड कर दिया गया है। कैबिनेट रैंक का कोई मिनिस्टर एजुकेशन मिनिस्टर नहीं है तब बजट में, रुपये के लेन देन में उस के बढ़ाने में उस का क्या असर हो सकता है। इस तरह से यह मंत्रालय कमजोर पड़ता जायेगा। मैं अपने प्रधान मंत्री से अपील करूंगा कि एजुकेशन का मंत्री तो जरूर ही एक कैबिनेट रैंक का मिनिस्टर हो। किसी भी देश के लिये एजुकेशन की उतनी ही महत्ता है जितनी किसी और चीज की हो सकती है। हमारे भिलाई प्लान्ट और दूसरे प्लांट जो बन रहे हैं, वे शिक्षा के द्वारा ही चलते हैं। अगर हमारी शिक्षा का ट्रिस्टिकोण ऊंचा नहीं रहा, उस पर जोर नहीं दिया गया तो हमारी प्रगति चारों ओर से रूक जायेगी, हमारा देश कभी भी आगे नहीं जा सकेगा इस सम्बन्ध में अधिक न कह कर युनिवर्सिटी ग्रांट्स कमिशन ने अध्यापकों के वेतन की तरफ जो ध्यान दिया है, उस के सम्बन्ध में चन्द बातें कहना चाहता हूँ।

हमारे देश में दुर्भाग्य से अध्यापकों की समाज में कोई गणना नहीं है, जो उन की

कद होनी चाहिए, वह नहीं है। किसी समय भारत में ऋषियों की प्रथा थी। उस समय सब से बड़ी पूजा ऋषियों की कृतियों की होती थी, जो कि जंगलों में रह कर, गुफाओं में रह कर विद्या देते थे और पढ़ाते थे। इस बात का दुःख है कि आज विद्या देने वाले और पढ़ाने वाले समाज में उतनी कद नहीं पाते हैं जितनी कि सरकार की ओर से भाने वाला एक भ्रफसर या अधिकारी पाता है। उन की तन्स्वाह भी इतनी कम है कि उस की बराबरी किसी चपरासी की तन्स्वाह से की जा सकती है। आज प्राइमरी स्कूल के टीचर की यह स्थिति है। हमारा सारा ढांचा ब्रिटेन के ग्रुपवा यूनाइटेड किंगडम के ढांचे पर आधारित है। हम ने अपनी डिमाक्रेसी भी उन्हीं की डिमाक्रेसी के आधार पर रखी है। लेकिन दुःख है कि हम ने अपनी सर्विसेज का आधार वह नहीं बनाया है जो आज ब्रिटेन में है, शिक्षा का भी आधार वह नहीं बनाया है जो वहां है। हम बिल्कुल उस के उल्टे रूप में हैं। उन्होंने यहां पर जो अपनी बुराई छोड़ी उसी को हम यहां पर कायम रखे हुए हैं। नृतना के रूप में कुछ तथ्य नें आप के सामने रखना चाहता हूँ। युनिवर्सिटी ग्रांट्स कमिशन ने साफ कहा है कि हमारे एफिलिएटेड कालेजों के टीचरों की तन्स्वाह बहुत कम है। उन्होंने यह भी कहा है कि जब तक एफिलिएटेड कालेजों सही तरीके से काम न करेंगे, असली शिक्षा नहीं देंगे तब तक शिक्षा की प्रगति नहीं हो सकती। उन के वर्डस ये हैं ;

"Many of these colleges receive grants-in-aid. . . Obviously, much of the quality of University Education in India will depend on the standards maintained by the colleges, and unless it is made possible for them to make rapid improvements in their staff, equipment, libraries, laboratories and

other facilities, no real improvement of University Education will take place."

यह उन की फार्डिंग है, जो कि अपने स्थान पर सही है। जब तक कालेज में में इम्प्रूवमेंट न हो, उन की तरक्की न हो, प्रगति न हो, तब तक हमारी शिक्षा आगे नहीं बढ़ सकती है। आप देखिये कि उन के वेतन स्तर क्या हैं। आज जितने डिग्री कालेज हैं उन में से अधिकतर प्राइवेट चलते हैं, निज लोग उन को चलाते हैं। उन की तन्स्वाह कमा बेश कम ही है। यूनिवर्सिटी ग्रांट्स कमिशन ने कहा है कि उन की तन्स्वाह किस तरह से हो। इस के लिये यूनिवर्सिटी ग्रांट्स कमिशन ने कुछ खपया नहीं दिया है, लेकिन सरकार से, केन्द्रीय और राज्य सरकारों से, अनुरोध किया है कि वे भी इस में योगदान करें। उन्होंने कहा है कि कम से कम यह पै स्केल होनी चाहिये :—

टीचर्स मेकण्ड बलास २००—४०० •

टीचर्स फर्स्ट बलास ३००—५०० रु०

हैड्स आफ डिपार्टमेंट्स ४००—७०० रु०

प्रिंसिपल ६००—८०० रु०

जो कि आज किसी भी एफिलिएटेड कालेज के अध्यक्ष को नहीं मिल रही है, जिस की एक्जेशन आफ बिफिड। साथ में यूनिवर्सिटी टीचर्स की जो तन्स्वाह दे रखी है वह भी इस प्रकार है :—

लेक्चरर्स २००—५०० •

रीडर्स ५००—२५—८०० रु०

प्राफेसर्स ८००—५०—१२५० रु०

इस मुकाबले में से आप को यू० के० के अध्यापकों का वेतन भी बता देना चाहता हूँ कि उनका वेतन कितना है, प्रोफेसर्स का वेतन क्या है और वहाँ की सिविल सर्विस के लोगों का वेतन क्या है, वहाँ के प्राइमरी स्कूल के टीचरों का

वेतन कितना है। मैं एग्जुकेशन इन १९५६ बीग बि रिपोर्ट आफ बि मिनिस्ट्री आफ एग्जुकेशन नामक किताब से पढ़ रहा हूँ। वहाँ पर प्राइमरी स्कूल टीचर की तन्स्वाह १ अक्टूबर, ५६ से ४७५-२५—६०० पौंड है। मर्से और औरतों के वेतन में थोड़ा फर्क जरूर है जो क्वालिफाइड वीमन टीचर्स प्राइमरी स्कूल में पढ़ाती हैं उन का वेतन है ४३०—२०—७२० पौंड। लेक्चरर्स, और प्रोफेसर्स के ग्रेड्स भी भलग भलग हैं। असिस्टेंट्स ग्रेड ए और ग्रेड बी हैं उन के ग्रेड इस प्रकार हैं :—

असिस्टेंट ए ग्रेड ४७५-२५—६०० पौंड

असिस्टेंट बी ग्रेड ६५०-२५—१,०२५ पौंड
लेक्चरर्स का जो ग्रेड पहले ६६५-२५—१०६ पौंड था वह अब १ अक्टूबर, ५६ १२००-३०—१३५० पौंड हो गया है यानी १३५० पौंड तक तो वहाँ का लेक्चरर पाता है और सीनियर लेक्चरर पाता है १३५० से १५५० पौंड तक। हैड आफ दि डिपार्टमेंट पाता है १५५५ से १६६५ पौंड तक जो कि सन् १९५६ से १९६० से २०५० पौंड तक हो गया है। यह तो हेड्स आफ डिपार्टमेंट्स की तन्स्वाह है लेकिन जो साइंटिफिक हेड्स हैं, टेक्ना-लोजी के हेड्स आफ दि डिपार्टमेंट्स हैं उन के वेतन और भी ज्यादा हैं। रीडर्स का ही वेतन उन में १५५०-१८०० पौंड तक है। हेड्स आफ दि डिपार्टमेंट का वेतन २०५०—२२५० पौंड तक है यू० के० के अध्यापकों का वेतन इस प्रकार है जब कि वहाँ के जो सिविल सर्वेंट्स हैं उनका वेतन ४५० पौंड से लेकर १७५० पौंड तक हो है। जब अध्यापक समाज इज्जत के अधिकारी हैं, और जब समाज को सुधारने की ओर सरकार का ध्यान जाना चाहिये, तब मर्रा कहना है कि अपने भारतवर्ष में भी अध्यापकों की कद

[श्री सिंहासन सिंह]

सरकार के किसी भी अधिकारी से अधिक होनी चाहिये। जब तक यह कदम उसकी नहीं होगी, जब तक समाज में यह स्थान अध्यापक को नहीं प्राप्त होगा तब तक हमारे यहां न शिक्षा को प्रगति हो सकती है और न इंडिपेंडेंस हो दूर हो सकती है जो कि आज हम विद्यार्थियों में चारों तरफ देख रहे हैं। आज जरूरी है कि अध्यापक की इज्जत हो, अध्यापक किसी के अधीन न हो। आज हम देखते हैं कि जब प्रधान मंत्री जाते हैं, बड़े बड़े नेता जाते हैं राष्ट्रपति भी जाते हैं, तो अध्यापक की कोई पूछ नहीं होती है। अगर किसी यूनिवर्सिटी में ही बै लोग जायें तो भले ही उन अध्यापकों की कोई पूछ हो जाये, वरना किसी दूसरे फंक्शन में उन को वह स्थान नहीं मिलता जो कि एक अन्य अधिकारी को मिलता है। इसलिये मेरा कहना यह है कि यूनिवर्सिटी ग्रांट्स कमिशन को चाहिये कि वह किसी तरह इस बात पर जोर दे कि अध्यापकों का अधिक ख्याल रक्खा जाये। जहां पर भी प्राइमरी स्कूल है उन स्थानों पर एक पटवारी की ज्यादा इज्जत होती है बनिस्बत एक प्राइमरी स्कूल के टीचर की। जब प्राइमरी स्कूल के टीचर को तनखावा कम, कद भी बहुत कम तो वह लड़कों पर कैसे अधिपत्य रख सकता है, लड़कों पर वह कैसे अपना गौरव स्थापित कर सकता है? उन्हें पेट की ही फिक्र रहती है और लड़के भी उन की इज्जत नहीं करते हैं। शिक्षा देने वाला जो पुरुष है वह कम से कम रोज की जो जरूरियात हैं उन की फिक्र में रहें। हर्ष है कि इस तरफ यूनिवर्सिटी ग्रांट्स कमिशन ने कुछ ध्यान दिया है।

यूनिवर्सिटी ग्रांट्स कमिशन ने प्रोफेसर्स के बारे में भी कहा है कि उन के पे स्केल बड़े पूछर है, उन्होंने ने 'पुअर' का शब्द कहा है वहां अभी हाल ही में जो पे कमिशन बैठा है उस को भी विचार करना चाहिये कि इस तरह की सविसेज के पे स्केल क्या हों। एक बार पहले

भी पे कमिशन बैठा था, लेकिन दुर्भाग्य है कि जो भी पे कमिशन बैठते हैं वे अध्यापकों की ओर कभी ध्यान नहीं देते। वे केवल उन्हीं बड़े बड़े अधिकारियों की तरफ ध्यान देते हैं जिन के हाथ में शक्ति है। जो लोग असली गुरु हैं, जो देश के निर्माणकर्ता हैं, जो देश का और हमारा स्तर ऊंचा कर सकते हैं, उन के ऊपर कोई ध्यान नहीं दिया जाता। मैं आप के जरिये यह कहना चाहता हूँ कि नया पे कमिशन जो बैठा है उस को इस बात की देखना चाहिये कि यहां हायवेस्ट पे के कितने प्रादमी हैं और वे कौन हैं, कितने प्रादमी उन में से साइंटिफिक और इंजीनियर हैं। अभी हम ने एक विधेयक पास किया है उस में कहा गया है कि हम टेक्नालाजिकल हैड्स को अधिक सुविधा देंगे देखना है कि उन को क्या सुविधा मिलती है। हम यहां बहुत से विधेयक पास करते हैं लेकिन विधेयक कार्यान्वित किस रूप में होता है, यह पता नहीं चलता। कभी कभी नहीं भी होता है।

तो मैं अधिक न कह कर इतना ही कहना चाहता हूँ कि आप जब भी अध्यापकों को रखें तो इस प्रकार से रखें कि समाज में उन की कद हो, उन की इज्जत हो और वह पैसे रुपये के मामले में अपने किसी समकक्ष अधिकारी से कम वेतन पाने वाले न हों। एक यूनिवर्सिटी का प्रोफेसर किमी कलक्टर से कम तनखावा पाने वाला न हो, तब तो उस की कद हो सकती है।

दूसरे यूनिवर्सिटी ग्रांट्स कमिशन से मेरी शिकायत है कि हमारी गोरखपुर यूनिवर्सिटी को सन् १९५६-५७ में एक पैसा भी नहीं दिया गया है। अभी वहां पर एक नई यूनिवर्सिटी रूल यूनिवर्सिटी के नाम से खोली गई है। उस यूनिवर्सिटी को और तरजीह मिलनी चाहिये लेकिन सन् १९५५-५६ का जो हिसाब बतलाया गया है उस में उसे एक पैसा भी नहीं मिला है। सन् १९५७-५८ में मालूम नहीं कि मिला है कि नहीं मिला या

धारा क्या मिलने वाला है। यह युनिवर्सिटी उस क्षेत्र में कायम है जिस क्षेत्र में कि हर तरीके की दिक्कत आज गवर्नमेंट के सामने मौजूद है। उस क्षेत्र में खाने और कपड़े की दिक्कत है और मंहगाई की दिक्कत है। जहाँ तक उस क्षेत्र की जन संख्या का सम्बन्ध है मैं समझता हूँ कि शायद भारत के किसी भी भाग की अपेक्षा वहाँ आबादी अधिक है और प्रति वर्ग मील पर वहाँ १००० आदमी आबाद हैं। मैं जानना चाहता हूँ कि उस कल की जरूरियात को पूरा करने के लिये कोई योजना अथवा स्कीम सोची जा रही है कि नहीं। उस क्षेत्र की ओर सरकार का और विशेष तौर से युनिवर्सिटी ग्रान्ट्स कमिशन का खास ध्यान जाना चाहिये। उस को एक ऐसी युनिवर्सिटी बनाये जो कि सही मानों में एक आदर्श युनिवर्सिटी हो। गोरखपुर एक छोटा सा शहर है, दिल्ली जैसा बड़ा शहर नहीं है। देहातों के जो गरीब आदमी वहाँ आयेंगे उन की सेवा करने के लिये वह युनिवर्सिटी कायम की गई है और हम लिये उस तरफ ओर अधिक ध्यान दिया जाना चाहिये। अब चूँकि घंटी बज चुकी है इसलिये मैं ओर अधिक न कह कर अपनी बात समाप्त करता हूँ।

Dr. K. L. Shrimall: Mr. Deputy-Speaker, Sir, I am very grateful to all the hon. Members who have participated in this debate and have made valuable contribution to the problem of university education. I would like to assure them that the various suggestions which they have made will be fully considered both by the University Grants Commission and by the Ministry of Education.

I would briefly like to touch on some of the points that have been raised in the course of the discussion. In the first place, I think I should like to mention that it is a matter of great pride that in our country, which is still a young democracy, we have been able to set up an institution, the University Grants Commission, which is laying the foundations of true democratic life. I am saying this because

it is from the Universities that the proper men who would run the democratic State would be produced. It is most important that our Universities should function in an atmosphere which would be congenial to the production of the right kind of citizens for a democratic society. It may appear to be a very small matter, but, if we look at it from the point of view of setting up proper conventions and proper traditions, I would like to submit that it is one of the most important steps that the Government have taken. I am in full agreement with my hon. friend Shri D. C. Sharma that in matters of education, Government should gradually get eclipsed and people should take greater and greater responsibility. That is the only way of functioning of a true democracy. I do not mind if the Ministry of Education gets completely eclipsed and institutions like the University Grants Commission, which have been created by the Ministry play an important role in the development of our education. I think it would be a very happy day when more and more institutions come into existence and they exercise greater and greater responsibility, financial as well as otherwise.

I am afraid my hon. friend opposite was not very fair when he said that the University Grants Commission has worked like a Post Office. This is neither fair to the University Grants Commission nor to the Government. The Ministry of Education has functioned in the true spirit of the University Grants Commission Act. There has not been one occasion when there has been any complaint from any quarter that there has been any kind of interference or infringement.

Shri Hem Barua: I did not mean infringement or interference. I was only saying that in the context of the responsibilities that are entrusted to the University Grants Commission as reflected in the report, allocation and disbursement of funds, it gives the impression as if it is a Post Office by which the funds that the Government makes available, are distributed.

Dr. K. L. Shrivall: That is not correct. I would like to correct my hon. friend and tell him that the University Grants Commission has full freedom and autonomy to initiate policies and programmes. It has also to take into account the national needs and national requirements. It is stated in the Act itself that it cannot ignore at any stage the requirements of our society, changing society to which my hon. friend referred.

I have said and I would like to repeat that in the earlier stages of our democratic life, it is most important that we set up proper institutions. The University Grants Commission is one of the institutions which is trying to lay the foundations of a true democratic life, because the Universities are the places from which the future citizens and future leaders of society will be produced.

My hon. friend Shri Harish Chandra Mathur says that he has great affection for me, but he has been very vehement in his remarks as far as the work of the Ministry is concerned. There is a certain misunderstanding with regard to the allocation of funds to the University Grants Commission. In the first place, I would like to say that when a provision of Rs. 27 crores was made for the Second Five Year Plan, it was our intention that it should be possible for us to make this fund available to the University Grants Commission for disbursement for the development of the Universities. The House is fully aware that the fulfilment of the Plan depended on certain conditions. The conditions were that both internal and external resources would be made available. At this time when we are in the process of reviewing the whole Plan, when we are not sure that all the funds that we have provided for in the Second Plan would be made available, how is it possible for me to give an assurance to the House or to the University Grants Commission that all the amount that was provided for would be made available. This is

a difficulty which I would like both the House and the University Grants Commission to understand. We have explained that to the University Grants Commission and I would like to explain it to the House also that as far as the Ministry of Education is concerned, we are keen that funds should be made available to the Universities so that they may develop on proper lines. They are hungry for funds. They want more money for their library, for their staff, for their equipment. Without these, we cannot improve our Universities. At the same time, we have to look at this picture in the background of the total economic situation in the country. With regard to that at this stage I can only say that it will be our earnest endeavour to see that the development plans and development programmes that the University Grants Commission has undertaken are not retarded in any way. It will also be our endeavour to see that we are able to meet their needs from time to time, but the House will understand the reasons why it is not possible for me to give an assurance at this time that the total provision which we have made in the Second Five Year Plan would be made available. After a few months when we have been able to review the whole economic position of the country, it may be possible for us to let the Commission know how much funds would be made available.

I can understand the difficulty of the Commission also. In order that they may plan properly, in order that they may draw up proper development programmes, it is essential that we should be able to let them know well in time how much funds would be available for development purposes. I can only tell the House that as soon as we have reviewed the situation and we know the actual position with regard to our total plans, we would let the Commission know about this matter.

Shri Mathur also stated that we have been slow in making these funds available to the Commission and that

we are not making all the funds available. With regard to the last two years I would like to say that in 1956-57 the Central Government placed Rs. 3,50,00,000 at the disposal of the Commission and they were free to spend this amount. Actually they were able to spend only Rs. 3,43,19,890. In 1957-58 the amount which was placed at the disposal of the Commission was Rs. 4,17,00,000 and they were able to spend only Rs. 3,50,00,000. Therefore, it is not correct to say that we have not been able to meet the needs and requirements of the Commission.

Shri Harish Chandra Mathur: Then may I know how is it that they make a complaint in this report that for 1956-57 funds were not made available to them? Were they made available to them in time? Were they told in time?

Dr. K. L. Shrimall: It is true the Commission asked for more funds, but after scrutiny we found that, after all, the Commission had also limited capacity to spend, and therefore these funds were made available, and as the House will see, even the funds which were placed at their disposal were not utilised by them. Therefore, our conjecture that it would not be possible for them to spend those amounts at that time was correct.

Shri Harish Chandra Mathur: My point is this. After the year is over, when they write this report, why is it that they have made a specific complaint about this matter? They should, in fairness, have said that they had been able to spend only so much, and they could not spend more. Rather, they say that they wanted this much and only this much was made available. They have made a specific complaint after the year is over.

Dr. K. L. Shrimall: I do not want to enter into an argument. They asked for certain funds. The request was naturally scrutinised and then we said how much would be made

available. This was made available, and they were not in a position to utilise it. That is the position that I am stating before the House.

Another question that was raised by my friend Shri Mathur was with regard to the matching grants. It is true that, as the Commission itself has stated, the State Governments and the universities have difficulties in finding suitable matching funds in order that they might make use of the grants made by the Commission, but at the same time, we should remember that the Central Government has not taken up full and entire responsibility for university education. They have a limited responsibility in this matter. I would personally be happy if the Central Government can take full responsibility, but in the present situation when our own resources are limited, I think for some time to come we will have to devise some methods by means of which we can develop greater co-ordination for the development of the universities.

Shri Harish Chandra Mathur: How are you going to get over the difficulties mentioned by the Commission in this respect?

Dr. K. L. Shrimall: This is a matter which will have to be examined in consultation with the State Governments and the universities, and I shall take the earliest opportunity to examine this matter.

With regard to the affiliated colleges also, the question was raised, and I am in general agreement with the Members that unless we can solve the problem of the affiliated colleges, we do not solve the problem of higher education, because we have about 800 to 900 affiliated colleges and only about three dozen universities. After a great deal of consultation with the Commission, we have now decided that it is possible for the Commission to give

[Dr. K. L. Shrimali]

grants to affiliated colleges also out of the funds which will be placed at their disposal. From this it will be clear that it is not our intention to leave the affiliated colleges out of the purview of the Commission and I hope as more and more funds are available to the Commission, they would be able to improve not only the universities, but the large number of affiliated colleges which are scattered all over the country.

The question was raised with regard to the salaries of teachers. From the report it is clear that the Commission has given a high priority to the improvement in the salaries of teachers. They gave liberal assistance, 80 per cent of the increased expenditure for improvement in the salaries of university teachers, and now they have decided to share at the rate of 50 per cent for improving the salaries of the teachers of the affiliated colleges also. They are giving more assistance for the teachers of women's colleges.

I was not able to understand what my friend Shri Mathur meant by suggesting that the engineering talent was being wasted in this country. As far as I am aware, we are making full use of all the engineers and technicians who are coming out of our universities and colleges, and I think it should be a matter of satisfaction for us that today as far as engineering personnel is concerned, this country is able to meet all its requirements.

Shri Sinhasan Singh: They are not getting employment.

Dr. K. L. Shrimali: With regard to employment also, I am not aware that there is any acute unemployment as far as the technical personnel is concerned. What happens is that sometimes a student comes out of an engineering college and goes straight to the employment exchange and gets a job after two or three months. And we get the impression that engineers

do remain unemployed. My information is that as far as engineers are concerned they are fully employed in our factories and in various kinds of industrial concerns. I could not understand when my hon. Friend Shri Harish Chandra Mathur said that engineers should not be asked to administer. That was a point which I could not understand.

Shri Harish Chandra Mathur: I never said it.

Dr. K. L. Shrimali: As far as I remember, he said that the engineers should not have any administrative responsibility and they should not work like clerks. The work of a clerk is also a noble work. I do not think that that is something on which we should look down upon. An engineer also has to do certain administrative work, and I do not think it is fair to say that that should be looked down upon.

Shri Harish Chandra Mathur: It is not a question of looking down upon. I said that most of our engineering talent was being wasted on clerical work. And that is not only my complaint, but if you read the papers, you will find that at least half a dozen letters have appeared on this very subject showing how the engineering talent is being wasted.

Dr. K. L. Shrimali: I do not think it is possible to divide these responsibilities completely and say that the technical man should handle only technical work and should not have any administrative work and that an administrator should not have any technical knowledge. Some kind of combination there will always have to be in all kinds of technical work.

Shri Tyagi (Dehra Dun): There is too much of red-tape, which has to be cut out.

Dr. K. L. Shrimali: Now, I come to the question of language. Various Members have raised the question of

the medium of instruction. The University Education Commission had made certain recommendations with regard to the medium of instruction. Since then, that matter has been examined by various committees, and recently by the University Grants Commission. The University Grants Commission had appointed a committee under the chairmanship of Dr. Kunzru, and that committee has made certain recommendations with regard to the medium of instruction at the university stage. And the University Grants Commission has accepted the recommendations of the Kunzru Committee. The recommendations of the Committee are that as far as the medium of instruction is concerned, the changeover from English to the regional languages should be a slow process, and in that process we should ensure that the standards are not lowered in any way. The University Grants Commission has accepted that position. And I am hoping that the universities also will follow the example and will follow the general policy which has been laid down by the University Grants Commission. In this matter, it is neither possible for Government or the University Grants Commission to dictate to the universities, nor would I like the University Grants Commission or Government to dictate to the universities. The universities in our country must be free to frame their own courses and curricula. It would be a very unhappy day for the country when Government dictate to the universities what courses and what curricula and what medium of instruction they should follow. And this is a matter which I think we can leave to the discretion of the universities, and I hope that they would not do anything which lowers our standards or which is not in the interests of the nation.

Shri Dasappa (Bangalore): I would like to know whether Government have any views on the question of

medium of instruction in the universities.

Dr. P. Subbarayan (Tiruchengode): He has already said that he would leave it to the universities, and that there would be autonomy for the universities.

Shri Dasappa: I do not want an answer to be given by the hon. Members here. I would be grateful to the Minister if he gives an answer. Have Government come to any decision as to the advisability of having one medium of instruction for all the universities or would they allow the regional languages to be the media of instruction in the universities?

Dr. K. L. Shrimall: Government have accepted the report of the Radhakrishnan Commission. And as far as the policy of Government is concerned, it is laid down in the report of the Radhakrishnan Commission, which has been accepted by the Central Advisory Board of Education as well as the Ministry of Education.

Shri Hem Barua: The Inter-University Board does not accept the Radhakrishnan Commission's recommendations. It has refused to do it.

Dr. K. L. Shrimall: I have been asked to state Government's policy, and I have explained what Government's policy is.

My hon. friend Shri H. N. Mukerjee referred to the Central universities and said that there were all kinds of complaints in the Vishvabharati University and the Banaras Hindu University. With regard to the Banaras Hindu University, I would like to say that Government had recently appointed a committee, and that committee has completed its inquiry, and I am expecting to have the report in the near future.

It is true that some of our universities, because of various historical reasons or because of various other circumstances, are not able to discharge the responsibilities which a university should discharge. Our universities should be centres of learning and research. Our universities should

[Dr. K. L. Shrimali]

disseminate knowledge. But, at present, sometimes, our universities and the university men are involved in petty quarrels and petty intrigues, and are not able to concentrate their attention on teaching or the development of research. This is a matter to which the University Grants Commission is giving serious consideration. I hope that as time passes, the University Grants Commission will be able to make its impact on the development of the universities and give them proper guidance.

The time at the disposal of the University Grants Commission has been very short. It is only for about a year and half that the University Grants Commission has been functioning. In matters of education, it is not possible to produce quick results. Education is the work of generations. We have only to see whether the work that is being done by Government and the universities is on proper lines, and whether we are clear about our objectives and our fundamental values.

I would like to submit that as far as the objectives are concerned, and as far as the purposes of university education are concerned, we are clear about them, and we are gradually moving towards our objectives.

Then, there is a general complaint about indiscipline and various other matters. We shall have to have some patience, as far as the results are concerned. We should judge the work of the University Grants Commission not by immediate results but by the way in which the University Grants Commission has tried to tackle this very difficult problem. The problem is of great magnitude, and the resources are limited. It is in that situation that the whole work of the University Grants Commission has to be judged. And I would like to remind the House that the task has been by no means easy for the University Grants Commission.

The House would remember that when the University Grants Commission was being set up one or two State Governments had objected to the very idea of setting up the University Grants Commission. The State Governments naturally wanted to have their freedom as far as education is concerned. And the universities wanted to have their autonomy intact. I think it is very creditable that in spite of these various difficulties, we have been able to see up an agency which is trying to develop co-operation with the State Governments and the universities, and we have been able to make some impact on university education.

Take, for example, the implementation of the three-years degree courses. This subject has been debated upon in the country for the last several decades. It is a question of very great importance as far as university education is concerned. It has been agreed unanimously by the committees and commissions that the students who go to the universities should have a certain standard of maturity, and that nobody should go to the university unless he has attained certain intellectual standard and certain maturity of judgment. It was with that in view that the scheme of three-year's degree course was prepared. It was recommended by the University Grants Commission, the Radhakrishnan Commission and the other Committees and Commissions. It is the first time that we have taken an actual step to implement this programme. There are bound to be difficulties because the present system has been prevailing for about 100 years. It is not easy to changeover from an old system to a new. There are difficulties of transition. There may be a University here or a University there or a State Government here or a State Government there which may have their genuine difficulties in implementing this course and we shall have to have patience in this

matter. I am hoping that in course of time all Universities will fall in line with this national pattern.

My hon. friend, Shri H. N. Mukerjee, also suggested that the University Grants Commission should intervene and put the Central Universities in proper order. If it were done, he would come forward and say that the Commission is interfering with the work of Universities. Therefore, we have to be very careful in this matter. We have to build up proper traditions and conventions. I can only assure the House that the Commission will not be completely indifferent to the utilisation of funds sanctioned by Parliament. They will have to see that the funds are properly utilised and Universities are able to utilise them for raising academic standards. It will be the duty of the Commission to see that proper academic atmosphere is maintained in Universities. But, as I said, in this matter also, results cannot be too quick. We will have to have patience.

I do not know how my hon. friend, Shri Harish Chandra Mathur, found a note of diffidence in this Report. My own impression is that nowhere is there an expression of lack of confidence. In fact, the University Grants Commission is proceeding with this job with full confidence. There are difficulties of availability of funds, but these are difficulties which will, as I said, have to be viewed in the total context of the whole Plan. It is true that education is also an instrument for the development of the economy of a country. At the same time, it has also to depend to some extent on the economic conditions of the country, and I do not think we can be completely indifferent to that situation.

Shri Harish Chandra Mathur: I said just the other way round. I said the Commission was going with confidence;

it was going in a bold way with determination. That was my opening remarks. I did not speak about defeatism or anything of the kind.

Mr. Deputy-Speaker: Then there is agreement between the two hon. Members.

Shri Hem Barua: It was I who said that.

Dr. K. L. Shrimall: I am sorry. Some hon. Member on the other side made a reference to that.

In the end, I would like to thank hon. Members who have participated in this discussion. I am hoping that the directions in which the University Grants Commission is moving are the right directions, and I have no doubt that the Commission will in course of time make its impact on the development of our Universities and University education. I can only assure the House that as far as Government are concerned, they will give full autonomy to the Commission. I am very happy to say that in spite of what Shri Harish Chandra Mathur has said, there has been perfect harmony and understanding between the Commission and the Ministry of Education. I am saying this both on behalf of Government as well as on behalf of the University Grants Commission, and I am expressing the feelings of the Chairman of the Commission.

Shri Harish Chandra Mathur: The hon. Minister has not referred to two important points which were raised. One is about the technical and engineering education, and the responsibility of the University Grants Commission in that respect and their sphere of work, whether they are also responsible for this or not.

The other point—and that was made by me—is regarding the colossal waste arising out of failures which are only peculiar to this country. The figures were given by my friend Shri Mukerjee hitherto emphasise what I had

[Shri Harish Chandra Mathur]

raised. Is this matter receiving the attention of the University Grants Commission and the Education Ministry?

Dr. K. L. Shrimali: With regard to technological education, the University Grants Commission disperses grants to all the technological institutions which are connected with the Universities. The Ministry of Scientific Research and Cultural Affairs looks after the Bangalore Institute and the four Technological Institutes which are being set up—one of them has already been set up. For the rest of technical education, the University Grants Commission gives grants on the advice of the All India Council of Technical Education, which functions under the Ministry of Scientific Research and Cultural Affairs.

This is the position and there has been no difficulty in the development of technical education. The All India Council of Technical Education makes a proper appraisal with regard to the man-power and has been making recommendations to the University Grants Commission from time to time. And, on their recommendations, the University Grants Commission gives grants for the development of technological institutions.

With regard to the other point referred to by both Shri Mukerjee and Shri Mathur regarding wastage—I did not speak because I was trying to finish my speech in time—I wish to explain that the University Grants Commission and the Government are fully seized of this very difficult problem. I am in full agreement with the hon. Members that this is colossal waste and we will have to do something to stop this wastage at the stage of University education. It is true that both at the intermediate level and the graduate level there are nearly 50

per cent of failure and it would mean that we are depriving the really talented people from getting admission to the Universities.

There may be various factors; lack of proper instructional facilities; admission of students who are not fit to go to the Universities and ineffective teaching. This will have to be examined by the University Grants Commission. I also think that the University Grants Commission will have to lay down certain criteria with regard to the admission of students to Universities. I am hopeful that in course of time, the University Grants Commission will be able to find a solution to this difficult problem.

Mr. Deputy-Speaker: Now this Report has been considered.

RELEASE OF A MEMBER

Mr. Deputy-Speaker: I have to inform the House that I have received the following telegrams dated the 29th April, 1958, from the District Magistrate, Bhubaneswar and the Sub-Divisional Magistrate, Khurda, respectively:—

(i) "Shri Pratap Kesari Deo, Members of Parliament released on bail on 28-4-58. Formal report is being dispatched by Sub-Divisional Magistrate, Khurda, before whom he was produced and who had remanded him to jail on 27-4-58."

(ii) "Shri Pratap Kesari Deo, Member, Lok Sabha, released on bail on 28-4-58, afternoon under High Court orders. Detailed report follows."

*SLUM CLEARANCE WORK IN STATES

Mr. Deputy-Speaker: We will now take up the half-an-hour discussion.

Shrimati Benu Chakravartty (Basirhat): Sir, I raise this discussion on a very important subject, the question of slum clearance. I think nobody either on this side of the House or the other, will disagree that this is one of the plague spots of modern civilisation and more so in our country. This question of slum clearance has also taken added importance because in the Five Year Plan it has been very specifically stated that this is going to be one of the most important issues which the Plan is going to try and solve.

18 hrs.

That is why a sum of Rs. 20 crores has been allocated for this particular matter. But what really is important is the disturbing factor which has emerged as a result of this very well-intentioned plan of the Government. The way the slum clearance schemes are being implemented and the way new housing schemes are coming up has led to many people saying: "God save us from these slum clearance scheme." Now, the poverty of the people who live in these areas is well known to every one of us. It is the poorest of the poor who live here—those who can hardly eke out an existence, who are unemployed. There are the people who inhabit the vast areas of slums today. Another category of people have also entered into the slums—those who were at one time middle-classes but due to economic stress and due to their poverty, due to the stress of unemployment they also have had to find shelter there.

The ravages of black marketeering and rent racketeering in the big cities has led vast masses of these people into the slum areas. As I said these people are the poorest of the poor. Even in their reports they say that these people are unable to bear the

economic rent which according to the Government estimates is something like Rs. 24 for one room-tenement. These people are asked to pay in Bombay for the new tenements that have come up something between Rs. 20 and Rs. 30. In Kanpur it comes to something round about Rs. 16. In Calcutta too we have been told when the discussion on the Basti Removal Bill was taking place in the Legislative Assembly that the economic rent would not be below Rs. 20-25. We find, as had been admitted by the Government itself, that in places like Kanpur it is not the poorest who are today able to take advantage of the schemes that are being put up by the Government. It is the middle classes and those who have a certain minimum amount of earnings, it is those people who are able to live in these places but the vast masses still continue to live in the slums.

What exactly is the hugeness of this problem? In this small pamphlet distributed to us—the *Problem of Housing in India*—we are told that in the old limits of the Madras city, out of 90,000 houses, 30,000 houses are just those of slumdwellers. One-third of the houses are slums. In Bombay they say that there are 140 slum areas in Bombay city—nearly half the population. 1/4th of the Calcutta's population lives in slum bastis occupying about 1/8th of the city's living space. One-eighth of the living space of the biggest city in the whole of India is comprised of slum bastis. The density is 1103 persons per acre while in Madras it is between 1000 and 1500 per acre. That is the hugeness of the problem.

Here, when these schemes are put forward, what is happening there? The first thing is that those who are dwelling in slums are being thrown out of their dwelling places.

In certain Bills that are coming up before the State legislatures they are including certain clauses whereby

[Shrimati Renu Chakravarty]

they say, as in the Calcutta Slum Clearance and Rehabilitation of Slum Dwellers Bill:

"...unless the State Government has offered alternative accommodation as near as may be within a radius of one mile from the slum-area to the occupier of such hut or other structure at a rent which the State Government is satisfied is comparable to what was being paid by the occupier, or if no rent was being paid by the occupier, what was payable for similar accommodation in the locality."

Unless the State Government has offered such alternative accommodation, they will not be ejected. Sir, while this clause is being introduced in certain States—in certain States even that is not being introduced as was done in the Delhi bill itself although an assurance was given on the floor of this House—my point is that nowhere it is stated that the rent will not be more than Rs. 2, Rs. 3 or Rs. 4, which is the amount which an ordinary poor basti dweller pays and even that he is unable to pay.

The capacity of the people to pay is to be seen from the decision of the Labour Appellate Tribunal of India on appeals against the award of the All India Industrial Tribunal (Colliery Disputes). There the Tribunal clearly states:

"as an item in assessing the cost of living, and has been valued at Rs. 2/-, and this amount has been included in the minimum wage."

That is the level at which the majority of our slum dwellers live. In computing the amount to be assessed for house rent, it has been valued at Rs. 2 and this amount has been worked out in the minimum wage. If this is so, then it is quite understandable that the rents which are going to be charged for the houses, which we say are going to be built, will be far

beyond the capacity of a majority of the people to pay. Therefore, these people are not going to be covered.

Even for those who are going to be given alternative accommodation, no guarantee is being given that at least the same accommodation, if not better, will be provided for them at that very rate.

Then, there is another category of people in the slums. There are not only people who live in rented houses, but there are also people who are called thika tenants—people who have not got real occupation right on the land but who have got the land on lease and built their own structures on it. Their fathers might have built the structures and they may be continuing to live there. For these people to be again made to pay rent at another place is rather difficult. And, if the rent is at such a high rate, I believe, the good that we are trying to do will not come about. That is why we feel so perturbed that the policies which are being pursued in connection with slum clearance is bringing about more hardship than anything else.

Not only that. There is the policy of throwing them rather far away. We know with regard to Delhi we had lot of discussion in this very House, when people living in the Ajmere Gate area were asked to go and live at places even up to seven miles away. We know the terrible state of conveyance in Delhi. Even to go from here to Old Delhi and come back we think twice, because it costs at least eight annas. For a man whose total average earning will not be more than six annas, if he is to be thrown seven or eight miles away, it really means asking him to be thrown to the dogs.

Therefore, this policy of throwing them at far away places and creating this sort of class stratification within the City itself—certain areas for the

well-to-do, certain areas for the middle-class, and certain areas for those under-dogs—is the most disgraceful thing that can be expected, and I think it should be stopped.

The place of livelihood is extreme importance. That is why, I believe, even when we are allotting this small amount of Rs. 20 crores, it is necessary for the Central Government to see that the policies that are being pursued for the implementation of the plan do conform to this principle, that those who are being thrown out of these slums will be given alternative place as near to their place as possible so that they will be able to carry out their usual avocations.

Sir, the question is so huge, and the financial allocation which is required for rural slum clearance is so colossal. I think according to the Government estimate, it would be something like Rs. 67,000 million, something that is unimaginable at the present moment. Therefore, I think it is good that we also begin to plan in a way that we do not take up these schemes in an unrealistic manner. We may try to do good, but today, as I said before, people are throwing up their hands and saying "God Save us from the slum clearance schemes". That is why the improvement of the slums should be taken up very seriously.

One of the most burning questions arising from the improvement of slum clearance is the supply of tap water or an adequate, healthy supply of water. The city of Calcutta today is in the grip of cholera, and where is cholera taking up the heaviest toll? It is taking the heaviest toll in the slum areas of East Calcutta, in the very congested slum area of Bura Bazaar and North Calcutta. These are the areas of hardship, where clean, drinking water in the dry season—a glass of good drinking water—is very difficult to obtain. Therefore, the question of drainage, the question of

sewage, the question of having streets in which conveyance for conservancy can come and go are all more important things that we have to think about. Without the improvement of slums, and the slum dwellers, no result can be achieved. The Government coming and taking up and buying up and paying compensation and taking up the work on its own hands will not solve the problem. While, on the one hand, it will not solve the problem by these methods, on the other hand it has given rise to certain very serious consequences of eviction and consequent hardship, and we are not able to give these slum dwellers adequate place to live in.

I would just say one more point in one minute, and I shall have done. This whole policy has to be thought out very carefully. I the answer that was given to me, it was said that the question of allocation to the States was dependent on one point, and that is, past performance. What has been the past performance? The shortfall in industrial housing has been fantastic. For industrial housing, the target for the first Plan was 78,000 houses. What was achieved? Only 34,000 houses. Rs. 21 crores were sanctioned, but only Rs. 9 crores were used. The funny thing that I find was Rs. 25 lakhs were sanctioned for plantation labour. How much was used? Rs. 1·5 lakhs in one year. For the next year they say that they have again allocated Rs. 25 lakhs. The same thing has happened in respect of low cost housing. In the first Plan, the allocation was Rs. 21·53 crores. What was actually drawn was Rs. 11·10 crores. So, I say that in all these three items, low cost housing, industrial housing and slum clearance, the work has fallen short of expectations. That is why I beg of the hon. Minister to assure us that there will be a social rent charged even where there is slum clearance—not an economic rent—and that there will be subsidies to the level of the economic power of the people who live there.

[Shrimati Renu Chakravartty]

Secondly, the policy of throwing them far out, so far out that their livelihood is jeopardised, should be given up. Alternative accommodation in keeping with their livelihood should be given and slum improvement should be undertaken on a much wider scale. The employers and the Government should see to it that industrial housing is taken up in right earnest and that because of a shortfall no stint is allowed in low cost and industrial housing. With these words, I conclude.

Shri Tangamani (Madurai) rose—

Mr. Deputy-Speaker: I wish to call the hon. Minister. Half the time has been taken by the hon. Member who raised the discussion, and the other half has to be given to the hon. Minister. Shri Tangami might put a question.

Shri Tangamani: In reply to the question, as a result of which this half-an-hour discussion has been raised, the hon. Minister stated that allotments are made to the various States on the basis of past performance. Today, in answer to an unstarred question No. 2949 referring to the State of Madras, what the hon. Minister said is that even for this year, there is not going to be any scheme for clearing the slums in the municipal towns other than the Madras city. I find from the reply that has been given to that particular question that it is the continuation of the policy which has been formulated in the old question itself. When new schemes will be formulated for cities like Madras, Calcutta, Bombay and Delhi, I want to know whether that will include municipal towns also, where the slum problem is a serious problem. If it is a question of merely past performance, naturally there will not be any past schemes for municipal towns.

Mr. Deputy-Speaker: I thought it was only a question. Now the question takes five minutes.

Shri Tangamani: What I want to know is whether in this particular year, that is, 1958-59, will Government plan only on the basis of past performance or will they also include other schemes for municipal towns also and, if so, which are the municipal towns that are proposed to be included.

Shri S. M. Banerjee (Kanpur): I will put only one question.

Mr. Deputy-Speaker: The question should really be a question.

Shri S. M. Banerjee: I wish to know from the hon. Minister whether any action has been taken to assess the rent or reduce the rent, because when these slum dwellers get their new houses, they are unable to pay the high rent. In Kanpur there are 4,000 such people.

श्री बाबूजी : (बुलन्दशहर, रक्षित, अनुसूचित जातियों) : उपाध्यक्ष महोदय, गन्दी बस्तियों को हटाने का प्रश्न एक बड़ा महत्वपूर्ण प्रश्न है जो हमारी बहिन श्रीमती रेणुचक्रवर्ती जी ने उठाया है। इस बात के बारे में यहाँ पहले भी बहस हो चुकी है। लेकिन राज्य सरकारें यकीनी तौर से इस धीरे विशेष ध्यान नहीं दे रही हैं। उदासीनता बरती जाती है।

इन गन्दी बस्तियों के प्रश्न के साथ भंगियों के आवास की समस्या भी सम्बन्ध रखती है। मैंने यह प्रश्न उठाया भी था कि भंगियों के आवास और गन्दी बस्तियों के दूसरे लोगों के आवास के बीच एक रेखा होनी चाहिये। भंगियों की बस्ती के लिये अलग अनुदान होना चाहिये। मैंने यह प्रश्न मेसूर में हाउसिंग मिनिस्टर्स कान्फ्रेंस में भी उठाया था ; मैं इस प्रकार की जितनी भी बस्तियाँ हूँ उन में न पानी का इन्तजाम है और न कोई और सफाई का इन्तजाम है। मैं जानना चाहता हूँ कि उस धीरे

उपाध्यक्ष महोदय : बस अब माननीय सदस्य को ज़रम करना चाहिये।

श्री बाबूजी : गवर्नमेंट क्या कर रही है ।

Shri Dasappa (Bangalore): I want to know only one thing. When there is an attempt to clear the slums, what attempts are made to prevent the creation of slums?

श्री नवल प्रभाकर (बाह्य दिल्ली)
रजित, अनुसूचित जातियाँ) : एक प्रश्न मैं भी पूछना चाहता हूँ ।

उपाध्यक्ष महोदय : क्या सिर्फ सवाल ही होने हैं या मिनिस्टर साहब का जवाब भी होगा ।

श्री नवल प्रभाकर : मैं माननीय मंत्री जी से यह जानना चाहता हूँ कि दिल्ली में जो स्लम क्लियरेंस का काम हो रहा है वह तो दो तरह से हो रहा है । एक तो सरकार की ओर से हो रहा है और एक तरफ भारत सेवक समाज की ओर से हो रहा है । जहां तक भारत सेवक समाज का तात्त्विक है उन का काम संतोषजनक समझा जाता है किन्तु जो सरकार की ओर से हो रहा है उस में लोगों को असन्तोष है । क्या उस पर भी कुछ प्रकाश डाला जायेगा ।

Shri Thimmaiah (Kolar—Reserved—Sch. Castes) rose—

Mr. Deputy-Speaker: If the hon. Members want only their questions to be recorded, I shall have no objection.

Shri Thimmaiah: I only wanted to say that before these slums are removed, let those people be provided with alternative accommodation.

Mr. Deputy-Speaker: That has already been stated.

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda): Mr. Deputy-Speaker, the hon. Shrimati Renu Chakravartty has not used too much of colour to describe the very sad condition of the slums in most of our cities. In fact, really speaking, even our villages have vast slums in them. But, I am afraid, I do not know how we could deal

with this problem if we were to accept the suggestions of remedy made by Shrimati Renu Chakravartty.

I am not sure if Shrimati Renu Chakravartty has gone through the slum clearance scheme under which this Fund is being operated—this Fund of Rs. 20 crores—provided in the Second Five Year Plan.

In the very first paragraph it says:

“Two important principles on which the scheme is based are—

- (1) there should be the minimum dislocation of slum dwellers and efforts should be made to rehouse them as far as possible at the existing sites of the slums and/or sites nearby in order to ensure that they are not uprooted from their fields of employment.”

Therefore, what she said and what we have said is absolutely the same.

Secondly, “in order to keep down rents within the paying capacity of slums dwellers, the emphasis should necessarily be laid more on provision of the minimum standards of environmental hygiene and essential services rather than on construction of any elaborate structures.”

Therefore, here also there is not much difference between what Shrimati Chakravartty has said and what we tried to execute through the States.

The very essence of a slum is the density of population. If Shrimati Chakravartty wants that no slum dwellers should be dislodged from where they are today, then Calcutta will have to be converted into a city of sky-scrapers. She has herself given the figures of density of population per acre. If those people were to remain where they are today, then we have to put up 50 or 60 storeyed houses and even then, I am not sure if the slums could be got rid of. To some extent it has been possible in a

[Shri Anil K. Chanda]

city like Madras, where more or less the cities are fortunate in having open sites inside the municipal areas to take recourse to the open plot schemes instead of putting up costly structures. A developed plot of land is given to the slum dweller. It is a considerable area. Its area is 1000 to 1200 sq. ft. It is fenced off and we provide a raised platform of about 300 sq. ft. for the structure. There is a provision of a pucca latrine and for a pucca bath place-cum-washing place. Then on top of that building material worth Rs. 150/- is given, so that the slum dweller can build his own hut. The rent for such an open plot is only Rs. 2/- to Rs. 3/- which is much the same as Shrimati Chakravartty would like it to be. But, obviously, such a method would not be possible in Calcutta. Big cities like, Calcutta or Bombay or even Delhi and Kanpur, will have to fall back on pucca structures. Wherever it is possible, we would like them to be single storeyed or double storeyed. But so far as Calcutta and Bombay are concerned, I am afraid, they have to be multi-storeyed.

Very often the States find it very difficult to have their plans executed within the ceilings prescribed by us. Outside Bombay and Calcutta, One single room tenement in a single storeyed house costs Rs. 3,300/-. It costs up to Rs. 4,600/- in the case of a multi-storeyed structure. So far as Bombay and Calcutta are concerned, one single storeyed room costs Rs. 4,600/- and a single room tenement in a multi-storeyed house costs Rs. 6,000/-.

Shri Sinhasan Singh (Gorakhpur): What is the length and breadth of this house? Each tenement is to have a minimum accommodation of 120 sq. ft. for the room, veranda and kitchen of 80 sq. ft., bathroom of 16 sq. ft. and lavatory of 12 sq. ft. I have given the cost that is involved. Very often the State Governments come up to us saying that they find it difficult, if not altogether impossible, to build within

the ceiling prescribed by us. But we have to bring down the cost to the minimum considering that we have only Rs. 20 crores at our disposal during the Second Five-Year Plan.

So far as the question of subsidy is concerned, these tenements for the slum dwellers are heavily subsidised. 25% of the cost is subsidy given by the Centre and 25% is the matching grant from the State. Economic rent is charged only on 50% of the cost and if Shrimati Chakravartty would like these tenements to be hired out to the workers of Calcutta for Rs. 2/- to Rs. 3/-, it would virtually mean that the Government will be putting up tenements, to be used by the slum dwellers there free of rents. If we are in the happy economic position to do so, nobody would be happier than myself. As I said, we have to work within the very great limitations imposed by scarcity of funds.

Shrimati Renu Chakravartty: They can't afford to pay. With Rs. 50 and its. 60, where will they go?

Mr. Deputy-Speaker: That is the real difficulty that the hon. Minister is expressing. They can't afford to pay; we cannot afford to build.

Shrimati Renu Chakravartty: Where will they go?

Shri Anil K. Chanda: I am coming to that. With regard to their income, I am not able to accept Shrimati Chakravartty's figure. It is not the case of a middle class home where the father only earns and the others do not earn. Unfortunately in the case of a slum-dwelling family, almost invariably the man earns, the wife earns and very often the grown up children also earn. I am not prepared to admit that a slum dweller in Calcutta has Rs. 60 or 70 only as basic income.

Shrimati Renu Chakravartty: It is so stated in the report itself.

Mr. Deputy-Speaker: Order, order.

Shri Anil K. Chanda: The maximum rent that is permissible under the scheme is Rs. 23 where multi-storeyed tenements have been built. The minimum is Rs. 12-50. That is the economic rent, on 50 per cent of the cost. If Parliament would give us money we would certainly put up tenements for which there will be no rent charged. In Calcutta and Bombay, there is an additional amount of Rs. 3 and 50 Naya paisa over Rs. 23, which may be charged.

With regard to the question of removal from the site where the slums are today situated, Shrimati Renu Chakravartty herself quoted from the Select Committee report on the Bill which is before the Bengal legislature. There is an assurance given that no slum dweller would be re-housed in an area which would be more than a mile away from the present slum. I had my own doubts whether it would be possible. I had a discussion with Dr. B. C. Roy and he has assured me that he has a scheme of multi-storeyed buildings and according to his calculations, he hopes to house them within half a mile from the slums where they are today living.

With regard to the point raised by Shri Balmiki, he has raised on many occasions the question of the sweepers. It is a very big problem. Many, or I would say quite a good percentage of slum dwellers come from the sweeper class. Automatically, in the working of this scheme, they would also come in. The Calcutta Corporation had, however, prepared a very elaborate scheme for building houses for the 13,000 sweepers that they have in the Corporation's service. That scheme was sent up to us. The total cost involved was, I believe, more than Rs. 2 crores, which would take us beyond what has been allotted to West Bengal. Therefore, we made a

recommendation to the Planning Commission that a special grant to cover this scheme should be made. This is under the examination of this Ministry, the Finance Ministry and the Planning Commission.

With regard to the point raised by Shri Balmiki about the sum of Rs. 20 crores. I have told him privately and in the course of the discussions we had in Mysore and also in answer to questions in Parliament, that it is not possible to earmark, out of the Rs. 20 crores, specifically any amount for the sweeper class. But, in our directives, in our notes sent to the State Governments, we have impressed upon them the great importance of tackling the question of sweeper colonies as best as they can, subject, of course, to the limitation of funds.

With regard to the point raised by Shri Dassappa as to what could be done to stop the growth of new slums, I believe the municipal administrations in our country are endowed with considerable powers to stop the growth of slums, if they only discharge their responsibilities properly and adequately. We cannot go and stop slums all over the country. The Central Government has neither the authority nor the competence. It is absolutely a problem for the States concerned. So far as the Centre is concerned, with regard to slum clearance scheme also, we are only the distributing agent for the moneys sanctioned by Parliament for this purpose. We try to bring about uniformity in the pattern of the slum clearance work. Shrimati Renu Chakravartty, in her notice about this motion had mentioned that slum clearance work is being carried out without any attention being paid to uniformity of pattern. That is not quite so. As a matter of fact, before the Central grant is made to the States, we see to it that the schemes which are placed before us by the State Governments conform mainly to the pattern of the scheme which we have placed on the Table of the House.

[Shri Anil K. Chanda]

The main problem is the deplorable economic condition of most of our people. If they are poor, the Government is also poor, and therefore it is going about in a vicious circle, but we are trying to do as best as we can within our limitations to bring forward some ameliorative measures which will give some relief to these people.

As a matter of fact, where land is available, if the open-plot system, or the self-aided system which has been widely resorted to in Madras is worked out in every town, that would be better for the people because the rent would not be more than Rs. 2 or Rs. 3, but again I repeat that it is no possible in cities like Bombay or Calcutta or industrially developed areas like Kanpur or even Delhi.

Shrimati Renu Chakravartty: What about the improvements which I had

proposed like supplying the amenities of drinking water and sewage?

Shri Anil K. Chanda: That is a different thing altogether. If more funds are allotted by the Health Ministry to the municipalities for supply of drinking water etc., it can be done, but that is a different problem altogether. This scheme is for slum clearance. I have read out that in our directions to the States we have emphasized the need for greater attention being paid to environmental hygiene, supply of water etc. We do not like that costly multi-storeyed tenements should be built for the workers, but as far as possible the other scheme should be worked.

18.32 hrs.

The Lok Sabha then adjourned till Eleven of the Clock on Wednesday, the 30th April, 1958.

DAILY DIGEST

[Tuesday, 29th April, 1958]

ORAL ANSWERS TO QUESTIONS

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S. Q. No.	12071—12114
1896 Aid to Sikkim . . .	12071—73
1898 Pakistani Nationals in India . . .	12073—76
1901 Import of Low Grade Jute and Jute Cuttings . . .	12076
1904 Burmese Press Delegation . . .	12077—79
1905 Mausoleum of Maulana Azad . . .	12079—82
1906 Production of Chilled Roll in JEMCO . . .	12082—84
1907 Sericulture Industry in Orissa . . .	12084—85
1910 Installation of Automatic Looms . . .	12085—87
1911 Industrial Estate in Rourkela (Orissa) . . .	12087—88
1912 Type-writers . . .	12088—90
1914 Closure of Textile Mills . . .	12090—95
1915 Import of small cars . . .	12095—12101
1918 Jute Mills . . .	12101—02
1919 Electric Furnace of JEMCO . . .	12102—04
1920 Export of Kashmir Timber . . .	12104—05
1921 Welfare Extension Projects . . .	12105—06
1922 Indians Arrested by Pakistan Police . . .	12106—08

SHORT NOTICE QUESTION NO.

17 Import of Trucks . . .	12108—14
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WRITTEN ANSWERS TO QUESTIONS

S. Q. No.	12115—12157
1897 State Trading Corporation of India (Private) Ltd. . . .	12115
1900 Machines for Rolling and Drying of Tea . . .	12115-16
1902 All India Petroleum Workers Federation . . .	12116-17

WRITTEN ANSWERS TO QUESTIONS—contd.

S. Q. NO.	
1903 Refusal of Visas to Indians Passing through Pakistan . . .	12117
1908 Tea Factories in Kangra, Punjab . . .	12117
1909 Purchase of Iron Ore by Italy . . .	12117-18
1913 Centenary Celebrations of Rabindranath Tagore. . .	12118-19
1916 Manufacture of Earth-moving Equipment . . .	12119
1917 State Trading Corporation of India (Private) Ltd. . . .	12119-20
1923 Import of Tractors . . .	12120
1924 Export of Indian Cotton Textiles . . .	12120-21
1685 Education in Naga Units . . .	12121
U.S.Q. No.	
2921 Report of the Ministry of Commerce and Industry . . .	12121-22
2922 Development of Industries . . .	12122-23
2923 Silk Industry . . .	12123-24
2924 Textile Mills . . .	12124
2925 Government Presses . . .	1212
2926 All India Khedi and Village Industry Commission . . .	12125-26
2927 Houses for Displaced Government Servants . . .	12126
2928 Production of Copper . . .	12126
2929 Rehabilitation of Displaced Persons in Tripura . . .	12126-27
2930 Residential Accommodation in Delhi . . .	12127-28
2931 Import Licenses . . .	12128
2932 Government Advertisements . . .	12128-29
2933 Tea Gardens . . .	12129
2934 Village Housing Projects in Andhra Pradesh . . .	12129

Subject	COLUMNS
WRITTEN ANSWERS TO QUESTIONS— <i>contd.</i>	
U. S. Q. NO.	
2935 Central Training Institute of Instructors, Koni . . .	12130
2936 Indian Delegations to U.N. General Assembly . . .	12130
2937 Export of Silk and Rayon Goods . . .	12130-31
2938 Bara Hoti . . .	12131-32
2939 Indian Embassies Abroad . . .	12132-33
2940 State Trading Corporation of India (Private) Ltd. . . .	12134
2941 Export of Sandalwood Oil . . .	12134-35
2942 Watches and Clocks . . .	12135-36
2943 Export of Pulses and Chillies . . .	12136
2944 Commission on Information Rights . . .	12136-37
2945 Tripartite Industrial Committee on Plantations . . .	12137
2946 Chemical Diamonds . . .	12137-38
2947 Multi-Storeyed Buildings in Chembur Colony . . .	12138
2948 Electric Motors and Starters . . .	12138-39
2949 Slum Clearance in Madras . . .	12139-40
2950 Documentaries by Private Producers . . .	12140-41
2951 Buddhist Encyclopaedia . . .	12141
2952 Small Scale Industries in Punjab . . .	12141-42
2953 Baby Food . . .	12142
2954 Handloom Industry in Bombay State . . .	12142
2955 Naga Hills . . .	12142-44
2956 Gorakhpur Labour Organisation . . .	12144
2957 False Registration Certificates . . .	12145
2958 Indian Textile Delegation to Japan . . .	12145-46
2959 Import of Security Paper . . .	12146-47

Subject	COLUMNS
WRITTEN ANSWERS TO QUESTIONS— <i>contd.</i>	
U. S. Q. NO.	
2960 Industrial Estate at Mangalore (Mysore) . . .	12147
2961 Bhoomidari Rights in Delhi . . .	12147
2962 Consolidation of Holdings in Delhi . . .	12148
2963 Information Bulletins . . .	12148-49
2964 Bhagalpuri Tussar Cloth . . .	12149
2965 Bhagalpuri Barrel Stone . . .	12149-50
2966 Bhagalpuri Iron Ore . . .	12150-51
2967 Hindustan Housing Factory . . .	12151
2968 Rebate on Import of Raw Materials . . .	12151-52
2969 Cloth Production . . .	12152
2970 Village Housing Scheme in U. P. . . .	12153
2971 Bicycles . . .	12153
2972 Export of Jute . . .	12154
2973 N.E.F.A. . . .	12154-55
2974 Export of Shoes. . . .	12155
2975 Indian Statistical Institute . . .	12155
2976 C.P.W.D. . . .	12155-56
2977 C.P.W.D. . . .	12156-57
2978 Sports Goods . . .	12157

PAPERS LAID ON THE TABLE 12157

A copy of Notification No. S. O. 487, dated the 12th April, 1958, under sub-section (3) of Section 6 of the Essential Commodities Act, 1955, making certain further amendment to the Cotton Textiles (Production by Handloom) Control Order, 1956.

MESSAGE FROM RAJYA SABHA 12157-58

Secretary reported a message from Rajya Sabha that Rajya Sabha had no recommendations to make to Lok Sabha in regard to the Finance Bill, 1958, passed by Lok Sabha on the 23rd April, 1958.

Subject	COLUMNS
REPORTS OF ESTIMATES COMMITTEE PRESEN- TED	12158

Eighteenth, Twentieth and Twenty-second Reports were presented.

BILLS PASSED	12158—12254
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- (i) Further clause by clause consideration of the probation of offenders, Bill, 1957 as reported by Joint Committee was concluded. The Bill was passed as amended.
- (ii) Further discussion on the motion to consider the Bombay, Calcutta, and Madras Port Trusts (Amendment) Bill, 1958 was concluded. The motion was adopted. After clause-by-clause consideration, the Bill was passed.
- (iii) The Deputy Minister of Finance (Shri B. R. Bhagat) moved for consideration of the Hyderabad Securities contracts Regulation (Repeal) Bill, 1958. The motion was adopted. After clause-by-clause consideration the Bill was passed.

BILL UNDER CONSI- DERATION	12254—61
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The Deputy Minister of Finance (Shri B.R. Bhagat) moved that the Indian Stamp (Amendment) Bill, 1958 be taken into consideration. The discussion was not concluded.

MOTION RE REPORT OF UNIVERSITY GRANTS COMMISSION	12261—12310
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Shri Harish Chandra Mathur moved that the Report of

Subject	COLUMNS
MOTION RE REPORT OF UNIVERSITY GRANTS COMMISSION—cont.	

the University Grants Commission laid on the Table of Lok Sabha on 3-3-58 be taken into consideration. The Report was considered.

RELEASE OF A MEMBER	12310
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The Deputy Speaker informed Lok Sabha that he had received the telegrams dated 29-4-58 from the District Magistrate, Bhubaneswar and the sub-Divisional Magistrate, Khurda respectively intimating that Shri P. K. Deo was released on bail on 28-4-58 under orders of the Orissa High Court.

HALF-AN-HOUR DIS- CUSSION	12311—12326
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Shrimati Renu Chakravartty raised a half-an-hour discussion on points arising out of the answer given on the 18th March, 1958 to Starred Question No. 1031 regarding slum clearance work in States.

The Deputy Minister of Works, Housing and Supply (Shri Anil K. Chanda) replied to the debate

AGENDA FOR WEDNES- DAY, 30TH APRIL, 1958	
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Consideration of the following Bills :—

- (i) Central Sales Tax (Amendment) Bill, 1958;
- (ii) Mines and Minerals (Regulation and Development) Amendment Bill, 1958; and
- (iii) Rice Milling Industry (Regulation) Bill, 1958.